

CONCORD/9798 RE: PASSED LEGISLATURE 1998

MEASURE : HB0092 HD2 SD1 CD1 (CCR 70)  
 TITLE : RELATING TO MOTOR VEHICLES.  
 INTRO : Nakasone B (586-6210)  
 DESCRIPT : Allows the chief of police of each county or officers of the county police who are permanently assigned to conduct vehicle theft investigations to inspect any records and any articles described in such records that the police reasonably believe are stolen goods, limited to the purpose of establishing rightful title or registration of vehicles or identifiable vehicle components in order to determine rightful ownership or possession, on the premises of any regulated motor vehicle repair dealer or any person required to be licensed to engage in the business of purchasing or selling used motor vehicle parts or accessories or wrecking, salvaging, or dismantling motor vehicles for the purpose of reselling the parts or accessories. -- Increases the period that an owner of a motor vehicle registered in another state or county has to apply for the registration of the vehicle to 30 days after commencing to operate the vehicle or causing or permitting it to be operated within the State. -- HB0092 CD1  
 COMM\_REPT : HSCR 29 (TRN) HSCR 1013 (JUD) SSCR 3156 (TIA) CCR 70  
 STATUS : May-05 98 Received by the Governor  
 ----- -- PENDING FURTHER ACTION  
 SECT\_AFFD : 286-44, 286-54

MEASURE : HB0397 HD2 (HSCR 711)  
 ACT : 003 1998  
 TITLE : RELATING TO MOTOR VEHICLE REGISTRATION.  
 INTRO : Hiraki K (586-6180)  
 DESCRIPT : Establishes vehicle weight tax exemption for a stored vehicle for the period of storage upon certain conditions. -- Establishes provisions for the junking of a vehicle incapable of safe operation and with no resale value. -- HB0397 HD2  
 COMM\_REPT : HSCR 18 (TRN) HSCR 711 (FIN) SSCR 1043 (TIA) SSCR 2419 (WAM)  
 STATUS : Mar-05 98 Received by the Governor  
 Mar-18 98 Approved by Governor (Act 3 1998)  
 EFF\_DATE : March 18, 1998  
 SECT\_AFFD : 249- (1 SECTION), 286- (1 SECTION)

MEASURE : HB0503 HD2 SD2 CD1 (CCR 111)  
 TITLE : RELATING TO CORRECTIONAL INDUSTRIES.  
 INTRO : Ito K (586-8470)  
 DESCRIPT : Allows the director of public safety or a designated representative to consult with the administrator of the state procurement office to identify goods or services which the correctional industries program may produce or provide to any state agency. Requires the administrator to provide a list of goods and services available. Act to take effect July 1, 1998. -- HB0503 CD1  
 COMM\_REPT : HSCR 534 (PSM) HSCR 734 (FIN) SSCR 2306 (GOH) SSCR 3280 (JDC) CCR 111  
 STATUS : May-05 98 Received by the Governor  
 ----- -- PENDING FURTHER ACTION  
 SECT\_AFFD : 354D-6 (\*)

MEASURE : HB0611 HD1 (HSCR 15-98)  
 ACT : 021 1998  
 TITLE : RELATING TO OCEAN RESOURCES.  
 INTRO : Tarnas D (586-8510)  
 DESCRIPT : Establishes provision relating to celebrations and holidays by designating the 1st Wednesday in June as Ocean Day. Provides that Ocean Day is not and shall not be construed as a state holiday. -- HB0611 HD1  
 COMM\_REPT : HSCR 15-98 (OMR) HSCR 285-98 (OMR) SSCR 2980 (JDC)  
 STATUS : Apr-03 98 Received by the Governor  
 Apr-15 98 Approved by Governor (Act 21 1998)  
 EFF\_DATE : April 15, 1998  
 SECT\_AFFD : 8- (1 SECTION) (\*)

MEASURE : HB0967 HD2 (HSCR 1010)  
 ACT : 004 1998  
 TITLE : RELATING TO OCEAN RECREATION MANAGEMENT.  
 INTRO : Tom T (BR) (586-6490)  
 DESCRIPT : Amends provision relating to Kaneohe Bay ocean use activities, permits, and restrictions to clarify types of permits the department of land of natural resources may issue for ocean use activities in Kaneohe Bay pursuant to the Kaneohe Bay master plan. Requires all rules adopted by the department with regard to Kaneohe Bay to be drafted in consultation with the Kaneohe Bay regional council in accordance with the master plan. Requires the council to review and revise the master plan by December, 1999, with the assistance of the office of planning of the department of business, economic development and tourism and the department. -- Amends Act 317, session laws of 1993, by repealing the sunset date. -- Amends Act 258, session laws of 1996. -- HB0967 HD2  
 COMM\_REPT : HSCR 635 (OMR) HSCR 1010 (JUD) SSCR 2640 (ECD)  
 STATUS : Mar-13 98 Received by the Governor  
 Mar-25 98 Approved by Governor (Act 4 1998)  
 EFF\_DATE : March 25, 1998  
 SECT\_AFFD : 200-39, ACT 317 1993, ACT 258 1996

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MEASURE : HB1049 HD1 SD1 (SSCR 1525)  
 TITLE : RELATING TO PAWNBROKERS.  
 INTRO : Case E (586-8475)  
 DESCRIPT : Amends provision relating to record of transactions to require every dealer, or agent, employee, or representative of the dealer, to record information on a standard form. Provides criteria. Upon request and at the discretion of the chief of police of each county, copies of all completed forms shall be electronically inputted and transmitted via modem or by facsimile transmittal to the chief of police prior to payment for the article. Amends provisions relating to pawnbrokers by increasing mandatory holding time for pledged goods from 10 to 15 days in counties with a population of less than 300,000, and from 10 to 30 days in counties with a population of 300,000 or more. Allows the holding period to be reduced to 15 calendar days at the discretion of the chief of police. -- HB1049 SD1  
 COMM\_REPT : HSCR 767 (CPC) SSCR 1525 (CPI)  
 STATUS : May-07 98 Received by the Governor  
 ----- -- PENDING FURTHER ACTION  
 SECT\_AFFD : 486M-2, 486M-4

MEASURE : HB1099 HD2 SD1 CD1 (CCR 76)  
 TITLE : RELATING TO OCCUPATIONAL THERAPISTS.  
 INTRO : Kawakami B (586-6280)  
 DESCRIPT : Prohibits any person to represent, advertise, or announce oneself, either publicly or privately, as an occupational therapist unless registered with the department of commerce and consumer affairs. Requires the department to maintain and biennially update a list of the names and business addresses of the occupational therapists who are registered. Exempts occupational therapy assistants from this provision. -- Occupational therapy practice law to be repealed on December 31, 2003. Act to take effect on January 1, 1999. -- HB1099 CD1  
 COMM\_REPT : HSCR 438 (HLT) HSCR 764-98 (CPC/ JUD/) SSCR 3262 (CPI) CCR 76  
 STATUS : May-05 98 Received by the Governor  
 ----- -- PENDING FURTHER ACTION  
 SECT\_AFFD : 457G-1, 26H-4

MEASURE : HB1332 HD2 SD2 CD1 (CCR 106)  
 TITLE : RELATING TO THE STATE WATER CODE.  
 INTRO : Jones M (586-8460)  
 DESCRIPT : Amends provisions relating to state water code to require the department of agriculture to prepare, and subsequently modify and update, a state agricultural water use and development plan for agricultural uses in the State in accordance with irrigation water and water and land development requirements. Requires the plan to include a master irrigation inventory plan. Requires the commission to coordinate the incorporation of the plan into the state water projects. Defines agricultural use and existing agricultural use. Requires the commission on water resource management to render its decision within 90 days after the chairperson's recommendation. Report to the legislature. -- HB1332 CD1  
 COMM\_REPT : HSCR 77-98 (AGR) HSCR 448-98 (WLU) HSCR 658-98 (FIN) SSCR 2897 (ECD/ WLH/) SSCR 3286 (WAM) CCR 106  
 STATUS : May-05 98 Received by the Governor  
 ----- -- PENDING FURTHER ACTION  
 SECT\_AFFD : 174C-31, 174C-3, 174C-46

MEASURE : HB1488 HD2 SD1 CD1 (CCR 51)  
 ACT : 005 1998  
 TITLE : RELATING TO FAMILY CHILD CARE HOMES.  
 INTRO : Arakaki D (586-6050)  
 DESCRIPT : Amends definitions of child care facility and family child care home. Requires persons who operate or maintain a group child care home or center, or a family child care home to register with the department of human services, every year for new applicants and for those who have been registered for less than 4 years, or every 2 years for those who have been registered for 4 years or more, unless sooner revoked. -- HB1488 CD1  
 COMM\_REPT : HSCR 202 (HSH) HSCR 995 (CPC) SSCR 1069 (HRE) SSCR 1405 (WLH) CCR 51  
 STATUS : Mar-20 98 Received by the Governor  
 Apr-01 98 Approved by Governor (Act 5 1998)  
 SECT\_AFFD : 346-151, 346-163, 346-165, 346-171

MEASURE : HB1533 HD2 SD1 CD1 (CCR 160)  
 TITLE : RELATING TO STATE FUNDS.  
 INTRO : Herkes R (586-6530)  
 DESCRIPT : Transfers moneys from specific special and revolving funds in excess of the requirements of the fund to the state general fund. -- Increases the balance allowable of the environmental response revolving fund to 20 million dollars. -- Establishes the state identification revolving fund. Requires the fund to consist of fees assessed for the processing and issuance of certificates of identification. Requires that the fund be administered by the attorney general for criminal justice data center, civil identification provisions. Appropriation to the department of the attorney general for the operation and improvement of the state civil identification program. -- Appropriation out of the compliance resolution fund of the department of commerce and consumer affairs for an administrative assistant position, a secretary position, and other exepnses of the professional and vocational licensing division. -- Requires the public health fund to return money to the appropriate county general fund. Act to take effect on July 1, 1998. (\$\$) -- HB1533 CD1

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COMM\_REPT : HSCR 592 (CPC) HSCR 777-98 (FIN) SSCR 3274 (WAM) CCR 160

STATUS : May-13 98 Passed Legislature

----- -- PENDING FURTHER ACTION

SECT\_AFFD : 128D-2, 846-27, 846-37

MEASURE : HB1577 HD2 SD2 (SSCR 2298)

TITLE : RELATING TO IRRIGATION WATER PROJECTS.

INTRO : Souki J (BR) (586-6100)

DESCRIPT : Amends provision relating to irrigation water development. Authorizes the board of agriculture to accept security interests in real or personal property for a debt restructured under a payment plan for delinquent water tolls, acreage assessments, or other related irrigation project accounts. Authorizes the board to foreclose or enforce an accepted security interest and to hold title to, maintain, use, manage, operate, sell, lease, or dispose of any personal or real property to recover the debt secured. -- HB1577 SD2

COMM\_REPT : HSCR 198 (AGR) HSCR 715 (FIN) SSCR 965 (ECD) SSCR 2298 (WAM)

STATUS : May-06 98 Received by the Governor

----- -- PENDING FURTHER ACTION

SECT\_AFFD : 167-6, 171-2

MEASURE : HB1624 HD1 SD2 CD1 (CCR 173)

TITLE : RELATING TO BOILER AND ELEVATOR SAFETY LAW.

INTRO : Souki J (BR) (586-6100)

DESCRIPT : Establishes boiler and elevator safety revolving fund within the department of labor and industrial relations to provide inspection services for boilers, pressure systems, or elevators and kindred equipment. Provides criteria. Exempts the fund from being transferred to the general fund for central service expenses. -- Requires elevator safety inspections to be performed every 5 to 7 months, effective July 1, 2000. -- Requires the department of labor and industrial relations to maintain the same number of inspectors as the effective date until the repeal date of this Act. Act to be repealed on July 31, 2003 (sunset). Appropriation. (\$\$) -- HB1624 CD1

COMM\_REPT : HSCR 866 (LAB) SSCR 1119 (HRE) SSCR 1510 (WAM) CCR 173

STATUS : May-14 98 Passed Legislature

----- -- PENDING FURTHER ACTION

SECT\_AFFD : 397- (1 SECTION), 36-27, 397-4, 397-5

MEASURE : HB1647 HD1 SD1 (SSCR 2299)

TITLE : RELATING TO THE LICENSING OF CERTAIN SELLERS.

INTRO : Souki J (BR) (586-6100)

DESCRIPT : Allows the director of the department of taxation to permit a person engaged in network marketing, multi level marketing, or other similar business to obtain a license to become a tax collection agent on behalf of its direct sellers. -- HB1647 SD1

COMM\_REPT : HSCR 306 (FIN) SSCR 2299 (WAM)

STATUS : May-06 98 Received by the Governor

----- -- PENDING FURTHER ACTION

SECT\_AFFD : 237-9 (\*)

MEASURE : HB1649 HD2 SD1 (SSCR 2423)

TITLE : RELATING TO PERJURY.

INTRO : Souki J (BR) (586-6100)

DESCRIPT : Amends provision relating to false and fraudulent statements by providing that any person who wilfully makes and subscribes any return, statement, or other document required to be made under tax provisions, except use tax provisions, which contains or is verified by a written declaration that it is true and correct as to every material matter, and which the person does not believe to be true and correct as to every material matter shall be guilty of a class C felony. Provides that for use tax provisions the person shall be guilty of a misdemeanor with a fine of up to 2,000 dollars or imprisoned not more than 1 year, or both. -- HB1649 SD1

COMM\_REPT : HSCR 293 (JUD) HSCR 719 (FIN) SSCR 974 (JDC) SSCR 2423 (WAM)

STATUS : May-06 98 Received by the Governor

----- -- PENDING FURTHER ACTION

SECT\_AFFD : 231-36 (\*)

MEASURE : HB1699 HD2 SD1 (SSCR 2774)

TITLE : RELATING TO THE HAWAII CAPITAL LOAN PROGRAM.

INTRO : Souki J (BR) (586-6100)

DESCRIPT : Establishes provision relating to capital loan programs. Allows the department of business, economic development, and tourism to guarantee up to 90 per cent of the principal balance of a loan made to a qualified small business concern by a private lender who is unable to otherwise lend the applicant sufficient funds at reasonable rates, provided that the aggregate amount of the State's liability does not exceed 10 million dollars. Provides criteria. -- Amends provision relating to Hawaii capital loan revolving fund by allowing the department to transfer moneys from the Hawaii capital loan revolving fund to the Hawaii strategic development corporation fund as approved by the corporation's board of directors. Allows the condition of unavailability of financial assistance to an applicant to be waived by the director for loan guarantees with a private financial institution. Requires each loan within counties of population exceeding 150,000 to bear simple interest at a rate of 1 per cent below the prime rate or at a rate of 7 and 1/2 per cent a year, whichever is lower. Act to take effect July 1, 1998. -- HB1699

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SD1  
COMM\_REPT : HSCR 352 (EDB) HSCR 1057 (FIN) SSCR 1015 (ECD) SSCR 2774 (WAM)  
STATUS : May-06 98 Received by the Governor  
----- -- PENDING FURTHER ACTION  
SECT\_AFFD : 210- (1 SECTION), 210-3, 210-6

MEASURE : HB1800 SD1 CD1 (CCR 149)  
TITLE : RELATING TO CASH MANAGEMENT OF STATE FUNDS.  
INTRO : Souki J (BR) (586-6100)  
DESCRIPT : Amends provisions relating to short term investment of State moneys by allowing income earned from moneys invested by the general funds, special funds, bond funds, and trust and agency funds on an investment pool basis to be paid into and credited to the respective funds based on the contribution of moneys into the investment pool by each fund. Defines investment pool. -- Repeals the provision which requires any interest received on any special fund to be paid and credited to the special fund. -- HB1800 CD1  
COMM\_REPT : HSCR 312 (FIN) SSCR 2681 (WAM) CCR 149  
STATUS : May-13 98 Passed Legislature  
----- -- PENDING FURTHER ACTION  
SECT\_AFFD : 36-21, 38-9

MEASURE : HB1815 HD1 SD2 CD1 (CCR 60)  
TITLE : RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM.  
INTRO : Souki J (BR) (586-6100)  
DESCRIPT : Amends the public employees' retirement system to require the board of trustees to appoint, by a majority vote of its members, a chief investment officer. Act to take effect July 1, 1998. -- HB1815 CD1  
COMM\_REPT : HSCR 399 (LAB) HSCR 698 (FIN) SSCR 1124 (HRE) SSCR 2667 (WAM) CCR 60  
STATUS : May-05 98 Received by the Governor  
----- -- PENDING FURTHER ACTION  
SECT\_AFFD : 88-29 (\*)

MEASURE : HB1824 HD2 SD2 CD1 (CCR 146)  
TITLE : RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION.  
INTRO : Souki J (BR) (586-6100)  
DESCRIPT : Requires all outstanding accounts receivable of the Hawaii health systems corporation that have been written off, returned from a private collection agency, or have delinquencies exceeding 365 days from the date of service to be referred to the department of the attorney general collections unit, for collection and legal enforcement of payments of debts owed to the State, the corporation, or both. Proceeds of any collection shall be deposited into the health systems special fund. Provides that all full time state employee positions in the attorney general's collections unit currently funded by the special fund to provide collection services to the corporation to remain as such. Requires the corporation to expend 650,000 dollars for positions, including salaries and fringe benefits, and the planning, design, construction, and acquisition of equipment, furnishings, and software necessary for the development of a modern collections computer systems. -- Requires the department of the attorney general to submit a report to the legislature identifying all delinquent accounts owed to the corporation that were handled by the attorney general through December 31, 1998, and the disposition of those accounts. Act to take effect July 1, 1998, and repealed July 1, 1999 (sunset). -- HB1824 CD1  
COMM\_REPT : HSCR 236 (HLT) HSCR 861 (FIN) SSCR 1182 (HEV/ HRE/) SSCR 3270 (WAM) CCR 146  
STATUS : May-13 98 Passed Legislature  
----- -- PENDING FURTHER ACTION

MEASURE : HB1830 HD1 SD1 CD1 (CCR 65)  
TITLE : RELATING TO EMERGENCY MEDICAL SERVICES.  
INTRO : Souki J (BR) (586-6100)  
DESCRIPT : Provides that all emergency medical disaster response volunteer personnel engaged in the emergency response to a mass casualty or disaster condition shall be deemed state or county employees, subject to the benefits of workers' compensation, and exempted from liability. Provides criteria. -- HB1830 CD1  
COMM\_REPT : HSCR 130 (HLT) HSCR 414 (PSM/ JUD/) HSCR 926 (FIN) SSCR 1104 (HEV) SSCR 2478 (WAM) CCR 65  
STATUS : May-05 98 Received by the Governor  
----- -- PENDING FURTHER ACTION  
SECT\_AFFD : 321- (1 SECTION) (\*)

MEASURE : HB1868 HD2 SD2 CD1 (CCR 99)  
TITLE : RELATING TO THE HAWAII HURRICANE RELIEF FUND.  
INTRO : Souki J (BR) (586-6100)  
DESCRIPT : Amends the Hawaii hurricane relief fund provisions. Adds the definition of year immediately preceding the year of the covered event. Adds that eligible property may include tangible personal property located therein or thereon and other structures at the insured location. Also provides tangible property as provided in the plan of operation of any manual of rules and rates adopted under the plan of operation. Allows the fund to impose fines for each incidence of nonpayment of amounts due. Adds that the limits of coverage under a policy shall not exceed the limits of comparable coverages for fire and windstorm under the companion policy and that the statute of limitations for actions shall be 1 year. Allows the board to establish lower special mortgage recording fee amount. -- HB1868 CD1

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COMM\_REPT : HSCR 525 (CPC) HSCR 1021 (FIN) SSCR 1037 (CPI) SSCR 2651 (WAM) CCR 99

STATUS : May-05 98 Received by the Governor

----- -- PENDING FURTHER ACTION

SECT\_AFFD : 431P-1, 431P-3, 431P-5, 431P-11, 431P-14, 431P-16

MEASURE : HB1966 HD2 SD2 CD1 (CCR 112)

TITLE : RELATING TO ADULT RESIDENTIAL CARE HOMES.

INTRO : Tarnas D (586-8510)

DESCRIPT : Establishes provisions relating to adult residential care homes. Allows these care homes to admit an individual who has been living immediately prior to admission in the individual's own home, a hospital, or other care setting. Provides further qualifications. Requires the department of health to define rules to expand admissions to adult residential care homes by level of care and to define and standardize these levels. -- Requires all expanded adult residential care homes to be licensed to ensure the health and safety, and welfare of the individuals. Requires the director of health to adopt rules relating to expanded adult residential care homes. Defines types of expanded adult residential care homes. Provides that the department shall establish standard admission policy and procedure, and maintain an inventory of all facilities licensed, under this provision, as well as an inventory of vacancies to facilitate the placement of individuals in such facilities. -- Provides that qualified expanded adult residential care home operators who accept residents certified by the department as requiring skilled nursing facility level care shall be reimbursed based on the severity of the resident's disability. Defines expanded adult residential care home. Requires the department to develop and adopt a social model of health care to ensure the health, safety, and welfare of individuals placed in adult residential care homes. Provides that the model of care shall be designed to protect the health, safety, civil rights, and rights of choice of the persons to reside in a nursing facility or in home or community based care. Act to take effect on July 1, 1999. -- HB1966 CD1

COMM\_REPT : HSCR 406-98 (HSH/ HLT/) HSCR 783-98 (FIN) SSCR 2950 (HRE) SSCR 3259 (WAM) CCR 112

STATUS : May-05 98 Received by the Governor

----- -- PENDING FURTHER ACTION

SECT\_AFFD : 321- (2 SECTIONS), 346- (1 SECTION), 321-15.1, 321-15.6

MEASURE : HB2222 HD2 SD2 CD1 (CCR 170)

TITLE : MAKING AN APPROPRIATION TO MATCH FEDERAL FUNDS FOR ESTABLISHMENT OF MANUFACTURING EXTENSION PROGRAMS.

INTRO : Herkes R (586-6530)

DESCRIPT : Appropriation to the department of business, economic development, and tourism for the establishment of manufacturing extension programs in Hawaii. Requires matching funds from the department. Act to take effect July 1, 1998. (\$\$) -- HB2222 CD1

COMM\_REPT : HSCR 355 (EDB) HSCR 693 (FIN) SSCR 1018 (ECD) SSCR 2778 (WAM) CCR 170

STATUS : May-14 98 Pased Legislature

----- -- PENDING FURTHER ACTION

MEASURE : HB2230 HD2 (HSCR 357-98)

ACT : 030 1998

TITLE : RELATING TO THE UNIVERSITY OF HAWAII-HILO.

INTRO : Chang J (586-6120)

DESCRIPT : Requires the board of regents to add forestry and natural resource management to the agriculture program at the university of Hawaii at Hilo. Act to take effect July 1, 1998. -- HB2230 HD2

COMM\_REPT : HSCR 46-98 (AGR) HSCR 357-98 (HED) HSCR 541-98 (FIN) SSCR 2807 (EDU) SSCR 2994 (WAM)

STATUS : Apr-13 98 Received by the Governor

Apr-29 98 Approved by Governor (Act 30 1998)

EFF\_DATE : July 1, 1998

SECT\_AFFD : 304-76 (\*)

MEASURE : HB2331 HD1 SD1 (SSCR 2798)

TITLE : RELATING TO CONDOMINIUM PROPERTY REGIMES.

INTRO : Oshiro P (586-6360)

DESCRIPT : Amends provision relating to condominium property regimes. Eliminates the names and positions of those persons who handle the funds, and the names, addresses, and phone numbers of an apartment owner association's officers from the information required on a registration application submitted with the real estate commission of the department of commerce and consumer affairs. Provides that only the names and positions of the association's officers, and the name and current mailing address of a designated officer of the association where the officer can be contacted directly are required. -- HB2331 SD1

COMM\_REPT : HSCR 641-98 (CPC/ JUD/) SSCR 2798 (GOH) SSCR 3138 (CPI)

STATUS : May-07 98 Received by the Governor

----- -- PENDING FURTHER ACTION

SECT\_AFFD : 514A-95.1 (\*)

MEASURE : HB2332 HD2 SD1 CD1 (CCR 71)

TITLE : RELATING TO THE TRAFFIC CODE.

INTRO : Oshiro P (586-6360)

DESCRIPT : Establishes that the driver of a motor vehicle from which waste material falls onto a highway or roadway shall be responsible for the removal of the material. If the driver is unable to remove the material, or if such removal will create a hazardous

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situation the driver must report to the county police department. Penalties. -- HB2332 CD1

COMM\_REPT : HSCR 2-98 (TRN) HSCR 743-98 (JUD) SSCR 2824 (TIA) SSCR 3249 (JDC) CCR 71

STATUS : May-05 98 Received by the Governor

----- PENDING FURTHER ACTION

SECT\_AFFD : 291C- (1 SECTION) (\*)

MEASURE : HB2352 HD1 (HSCR 7-98)

ACT : 001 1998

TITLE : MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE LEGISLATIVE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN.

INTRO : Say C (586-6200)

DESCRIPT : Appropriation for the expenses of the legislature, the legislative auditor, the legislative reference bureau, the office of the ombudsman, and for defraying expenses of the legislative information system (known as SHADOW). (\$\$) -- HB2352 HD1

COMM\_REPT : HSCR 7-98 (FIN) SSCR 2006 (WAM)

STATUS : Feb-06 98 Received by the Governor

Feb-06 98 Approved by Governor (Act 1 1998)

EFF\_DATE : February 6, 1998

MEASURE : HB2355 HD1 SD1 CD1 (CCR 81)

TITLE : RELATING TO CRIMINAL TRESPASS.

INTRO : Tom T (586-6490)

DESCRIPT : Amends the offense of criminal trespass in the 2nd degree to include any person who knowingly enters or remains unlawfully in or upon premises that are enclosed or any person that enters or remains unlawfully in or upon commercial premises after reasonable warning or request to leave by the owner or lessee, owner's or lessee's agent, or police officer. Defines reasonable warning or request. Provides criteria. -- HB2355 CD1

COMM\_REPT : HSCR 711-98 (JUD) SSCR 3235 (JDC) CCR 81

STATUS : May-05 98 Received by the Governor

----- PENDING FURTHER ACTION

SECT\_AFFD : 708-814 (\*)

MEASURE : HB2357 HD2 SD1 CD1 (CCR 82)

TITLE : RELATING TO INDEMNIFICATION OF COUNTY AGENCIES.

INTRO : Tom T (586-6490)

DESCRIPT : Establishes provision relating to the indemnification of counties. Allows a state department to receive county aid, assistance, support, benefits, services, and interest in or rights to use county property for joint State and county projects by requiring the department to agree in writing to a provision by which the State agrees to indemnify, defend, and hold harmless a county agency, its officers, agents, and employees. Provides criteria. Provides that an indemnity provision not in strict compliance with this provision shall not give rise to a claim against the State. -- Amends provision relating to insurance to include provision relating to the indemnification of counties. -- Amends provision relating to the defense of State employees by providing that the attorney general may defend a county in any civil action or proceeding when contractually obligated. -- HB2357 CD1

COMM\_REPT : HSCR 69-98 (JUD) HSCR 496-98 (FIN) SSCR 2902 (TIA) SSCR 3215 (JDC) CCR 82

STATUS : May-05 98 Received by the Governor

----- PENDING FURTHER ACTION

SECT\_AFFD : 661- (1 SECTION), 41D-8.5, 662-16

MEASURE : HB2358 HD2 SD1 CD1 (CCR 63)

TITLE : RELATING TO CHILD PASSENGER RESTRAINT SYSTEMS.

INTRO : Tom T (586-6490)

DESCRIPT : Changes the penalty for violating child passenger restraint provisions (car seat). Establishes that for a 1st conviction the person shall be fined not more than 100 dollars and attend a child passenger restraint system safety class conducted by the division of driver education, for a 2nd offense the fine shall be 200 dollars, and for the 3rd and subsequent offenses the fine shall be not more than 500 dollars. Also provides that for 2nd, 3rd, and subsequent convictions the person shall be required to attend a child passenger restraint system safety class if the person has not previously attended such a class. Adds 50 dollars driver education assessment for the class. -- HB2358 CD1

COMM\_REPT : HSCR 4-98 (TRN) HSCR 512-98 (JUD) SSCR 2825 (TIA) SSCR 3232 (JDC) CCR 63

STATUS : May-05 98 Received by the Governor

----- PENDING FURTHER ACTION

SECT\_AFFD : 291-11.5, 286G-3

MEASURE : HB2361 HD1 SD2 CD1 (CCR 72)

TITLE : RELATING TO MOTOR VEHICLE TOWING FEES.

INTRO : Tom T (586-6490)

DESCRIPT : Increases the maximum towing fees allowed by towing companies. Provides that in the case of a difficult hookup a towing surcharge of 25 dollars shall be applicable. Requires tow operators to accommodate payment for the charges by cash or by either credit card or automated teller machine located on the premises. Act to take effect on September 1, 1998, and be repealed on July 1, 2000 (sunset). -- HB2361 CD1

COMM\_REPT : HSCR 153-98 (TRN) HSCR 574-98 (JUD) SSCR 2903 (TIA) SSCR 3165 (WAM) CCR 72

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STATUS : May-05 98 Received by the Governor  
----- -- PENDING FURTHER ACTION

SECT\_AFFD : 290-11 (\*)

MEASURE : HB2362 HD1 SD1 (SSCR 3258)  
TITLE : RELATING TO CHARITABLE TRUSTS.  
INTRO : Nakasone B (586-6210)  
DESCRIPT : Amends provision relating to charitable trusts. Provides that in the case of a charitable trust, the compensation of the trustees shall be limited to an amount that is reasonable under the circumstances. Repeals the schedule of percentages on all moneys received as revenue or income. Act to take effect January 1, 1999. -- HB2362 SD1

COMM\_REPT : HSCR 469-98 (JUD) SSCR 3258 (JDC/ WAM/)  
STATUS : May-11 98 Received by the Governor  
----- -- PENDING FURTHER ACTION

SECT\_AFFD : 607-20 (\*)

MEASURE : HB2366 HD2 SD2 CD1 (CCR 101)  
TITLE : RELATING TO TRANSPORTATION.  
INTRO : Cachola R (586-6110)  
DESCRIPT : Authorizes the department of transportation to implement an intra island water ferry transportation system to transport commuters during peak traffic periods and may be used for other revenue generating purposes during non peak traffic periods. Allows the system to include landings at various locations along the southern coast of Oahu and to be integrated with ground transportation. Authorizes the department and the department of land and natural resources to waive or assess nominal fees for the use of public infrastructures and terminals by the operator of the system. Also to lease public lands at a nominal cost. Requires that in return for concessions the operator shall provide ferry service at no cost or nominal cost to the State for the duration of the concessions. Allows the department to conduct an intra island water ferry system demonstration project exempt from Hawaii procurement code and the water carrier law. Allows the transition into a permanent system. Establishes a ferry project special fund into which shall be deposited revenues collected by the operators of the system. Expenditures made by the department of transportation to offset costs incurred by the system or demonstration project. Report to the legislature. Act to take effect July 1, 1998. -- HB2366 CD1

COMM\_REPT : HSCR 247-98 (TRN/ TSM/) HSCR 666-98 (FIN) SSCR 2904 (TIA) SSCR 3205 (WAM) CCR 101  
STATUS : May-05 98 Received by the Governor  
----- -- PENDING FURTHER ACTION

MEASURE : HB2381 HD1 SD1 CD1 (CCR 83)  
TITLE : RELATING TO CRIME.  
INTRO : Yamane B (586-8515)  
DESCRIPT : Establishes provision relating to street solicitation of prostitution. Prohibits any person within the boundaries of Waikiki and while on a public street or sidewalk to offer or agree to engage in sexual conduct with another person in return for a fee. Requires a mandatory minimum term of 30 days imprisonment or, if warranted, a period of probation not to exceed 1 year, and subject to the mandatory condition that the defendant observe geographic restrictions that prohibit the person from entering or walking along the public streets or sidewalks of Waikiki during the hours from 6 p.m. to 6 a.m. Provides that upon violation of the geographic restrictions, the court shall revoke the defendant's probation and immediately impose the mandatory minimum 30 day term of imprisonment. Provides that any person may be admitted to bail subject to the mandatory condition that the person observe the geographic restrictions. Defines sexual conduct and Waikiki. Provides that this provision shall apply to all counties except if a county enacts its own ordinance then that ordinance shall supersede this provision and no person shall be convicted under this provision in that county. -- HB2381 CD1

COMM\_REPT : HSCR 63-98 (JUD/ PSM/) SSCR 3236 (JDC) CCR 83  
STATUS : May-05 98 Received by the Governor  
----- -- PENDING FURTHER ACTION

SECT\_AFFD : 712- (1 SECTION), 804-4, 804-5

MEASURE : HB2426 HD1 SD1 (SSCR 2937)  
TITLE : RELATING TO TAXATION.  
INTRO : Marumoto B (BR) (586-6310)  
DESCRIPT : Provides that an individual who has established the individual housing account before January 1, 1990, may elect to be subject to an increase in gross income by 10 per cent of the total distribution from the account, within 1 year of the date of purchase. -- HB2426 SD1

COMM\_REPT : HSCR 722-98 (FIN) SSCR 2937 (GOH/ CPI/) SSCR 3291 (WAM)  
STATUS : May-06 98 Received by the Governor  
----- -- PENDING FURTHER ACTION

SECT\_AFFD : 235-5.5 (\*)

MEASURE : HB2437 HD1 SD1 (SSCR 3253)  
TITLE : RELATING TO CONTROLLED SUBSTANCES.  
INTRO : Tom T (586-6490)  
DESCRIPT : Prohibits any person to refuse or fail to make available any prescription or information in patient charts relating to the administration, dispensing, or prescribing of controlled substances. Also prohibits a practitioner or pharmacists to fail to obtain proper identification and to verify and document the identity of the individual, by signature on a log book, to whom any

controlled substance is dispensed. Requires the pharmacist to verify the validity of the prescription and identity of the patient with the prescriber, if the individual does not have any form of proper identification. Defines proper identification. Changes the penalty for violating prohibited acts under the uniform controlled substances act to a class C felony. -- HB2437 SD1

COMM\_REPT : HSCR 581-98 (JUD) SSCR 3253 (JDC)  
 STATUS : May-01 98 Received by the Governor  
 ----- -- PENDING FURTHER ACTION  
 SECT\_AFFD : 329-41 (\*)

MEASURE : HB2441 HD1 (HSCR 779-98)  
 ACT : 031 1998  
 TITLE : RELATING TO ELECTIONS.  
 INTRO : Tom T (586-6490)  
 DESCRIPT : Amends provision relating to elections. Limits contributions to a political party to an aggregate amount of 50,000 dollars in a 2 year election period instead of in any election year. -- Provides that any expenditure made to a governor or lieutenant governor candidate, supporting a co candidate in the general election shall not be considered a campaign contribution. -- Changes the due date for a candidate's 1st deficit report to the 30th instead of the 31st day after the last day of the election year. -- Provides that elected officials who do not seek reelection, yet who file to become a candidate for election within 4 years after the end of the term from which they did not seek reelection are not required to return residual private contributions. -- Limits the total amount of public funds a candidate is entitled to receive for a primary, special primary, or general election to 50 per cent of the maximum amount of public funds available for the candidate's respective office. Provides that each candidate who qualifies for the maximum amount of public funding in any primary or special primary election and who is a candidate for a subsequent general election shall be entitled to receive up to 50 per cent of the balance of public funds available to such candidate upon application with the campaign spending commission. -- Repeals the requirement that in order to receive public funds, a state senator, state representative, county council member, or prosecuting attorney received at least 10 per cent of the votes cast in the election for the office the candidate is seeking. -- HB2441 HD1

COMM\_REPT : HSCR 290-98 (JUD) HSCR 779-98 (FIN) SSCR 2868 (JDC) SSCR 3191 (WAM)  
 STATUS : Apr-16 98 Received by the Governor  
 Apr-29 98 Approved by Governor (Act 31 1998)  
 EFF\_DATE : April 29, 1998  
 SECT\_AFFD : 11-204, 11-207, 11-213, 11-214, 11-218

MEASURE : HB2443 HD2 SD1 CD1 (CCR 53)  
 TITLE : RELATING TO REAL PROPERTY ENCROACHMENT.  
 INTRO : Tom T (586-6490)  
 DESCRIPT : Amends provision relating to de minimus structure position discrepancies. Amends definition to include industrial property and makes the actual location of a boundary line based on the most recent survey. Provides that in the event that the property owner who constructed the improvement is not readily identifiable, the owner of the improvement shall be determined to be the owner of the property upon which the improvement is substantially located. Amends Act 131, session laws of 1997, by providing that this act shall apply to all structure position discrepancies without regard to when the facts or actions giving rise to the discrepancy occurred. Act to be retroactive to June 16, 1997. -- HB2443 CD1

COMM\_REPT : HSCR 212-98 (WLU) HSCR 513-98 (JUD) SSCR 3220 (JDC) CCR 53  
 STATUS : May-05 98 Received by the Governor  
 ----- -- PENDING FURTHER ACTION  
 SECT\_AFFD : 669-11, 669-12, ACT 131 1997

MEASURE : HB2447  
 ACT : 011 1998  
 TITLE : RELATING TO STATUTORY REVISION: AMENDING, REENACTING, OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, CLARIFYING LANGUAGE, AND DELETING OR REPEALING OBSOLETE OR UNNECESSARY PROVISIONS.  
 INTRO : Souki J (586-6100)  
 DESCRIPT : Amends, reenacts, or repeals various provisions of the Hawaii revised statutes and the session laws of Hawaii for the purpose of correcting errors and references, clarifying language, and deleting obsolete or unnecessary provisions. -- HB2447

COMM\_REPT : HSCR 83-98 (JUD) SSCR 2794 (JDC)  
 STATUS : Mar-30 98 Received by the Governor  
 Apr-07 98 Approved by Governor (Act 11 1998)  
 EFF\_DATE : This Act shall take effect upon its approval; provided that: (1) Sections 1, 2, 15, 24, 26, and 27 shall take effect on July 1, 1998; (2) Section 33 shall take effect retroactive to July 1, 1994; (3) Sections 34 and 35 shall take effect retroactive to June 17, 1997; (4) Section 36 shall take effect retroactive to January 1, 1998; and (5) Section 37 shall take effect retroactive to July 3, 1997.

SECT\_AFFD : 26-14.6, 29-15.5, 76-9, 76-22.5, 103D-108, 103D-209, 103D-407, 103D-803, 103D-804, 103D-805, 103D-806, 103D-807, 103D-808, 166-3, 206-1, 269-1, 269-33, 330-8, 353-22.8, 412:7-306, 428-1007, 428-1204, 428-1301, 514A-14.5, 514A-62, 516-31, 521-7, 571-84.5, 576E-2, 576E-10, 577-14, 634-37, ACT 200 1994, ACT 236 1997, ACT 251 1997, ACT 367 1997

MEASURE : HB2486 HD3 SD2 CD1 (CCR 103)  
 TITLE : RELATING TO MARRIAGE AND FAMILY THERAPISTS.  
 INTRO : Kawakami B (586-6280)



CONCORD/9798 RE: PASSED LEGISLATURE 1998

DESCRIPT : Establishes marriage and family therapists law to provide for the regulation and licensing of marriage and family therapists.  
Provides criteria. -- HB2486 CD1

COMM\_REPT : HSCR 125-98 (HSH/ HLT/) HSCR 418-98 (CPC/ JUD/) HSCR 515-98 (FIN) SSCR 2851 (CPI) SSCR 3168 (WAM) CCR 103

STATUS : May-05 98 Received by the Governor  
----- -- PENDING FURTHER ACTION

SECT\_AFFD : (13 SECTIONS) MARRIAGE AND FAMILY THERAPISTS, 26H-4

MEASURE : HB2496 HD2 SD1 CD1 (CCR 84)

TITLE : RELATING TO SERVICES FOR THE INDIGENT.

INTRO : Oshiro M (586-8505)

DESCRIPT : Amends Act 305, session laws of 1996, relating to the indigent legal assistance fund. Requires that all unobligated or unexpended funds as of June 30, 2002, shall revert to the general fund and for the indigent legal assistance fund to be terminated (sunset). Requires the fund to be administered by the administrative director of the courts. Requires the commission on access to justice to annually report to the legislature. Extends repeal date of the Act to June 30, 2002 (sunset).  
-- HB2496 CD1

COMM\_REPT : HSCR 24-98 (JUD) HSCR 654-98 (FIN) SSCR 2826 (HRE/ JDC/) SSCR 3000 (WAM) CCR 84

STATUS : May-05 98 Received by the Governor  
----- -- PENDING FURTHER ACTION

SECT\_AFFD : ACT 305 1996 (\*)

MEASURE : HB2500 HD1 SD1 CD1 (CCR 147)

TITLE : RELATING TO THE STATE BUDGET.

INTRO : Souki J (BR) (586-6100)

DESCRIPT : Supplemental Appropriations Act of 1998 (executive budget). Amends Act 328, session laws of 1997, relating to the state budget. (\$\$) -- HB2500 CD1

COMM\_REPT : HSCR 804-98 (FIN) SSCR 3298 (WAM) CCR 147

STATUS : May-13 98 Passed Legislature  
----- -- PENDING FURTHER ACTION

SECT\_AFFD : ACT 328 1997, ACT 218 1995, ACT 287 1996, ACT 296 1991, ACT 300 1992, ACT 316 1989, ACT 299 1990, ACT 179 1989, ACT 16 1995 1SP, ACT 289 1993, ACT 252 1994, ACT 272 1992, ACT 216 1987, ACT 390 1988, ACT 300 1985, ACT 345 1986, ACT 301 1983, ACT 285 1984, ACT 1 1981 1SP, ACT 264 1982, ACT 195 1975, ACT 226 1976, ACT 218 1973, ACT 218 1974

MEASURE : HB2506 HD1 SD1 CD1 (CCR 75)

TITLE : RELATING TO FORECLOSURES.

INTRO : Menor R (586-6150)

DESCRIPT : Establishes an alternate foreclosure process that allows a mortgagee to conduct a power of sale foreclosure. Adds definitions for borrower, foreclosing mortgagee, mailed, mortgage, mortgage agreement, mortgagee, mortgaged property, mortgagor, open house, power of sale or power of sale foreclosure, property, record or recorded, and served. -- HB2506 CD1

COMM\_REPT : HSCR 721-98 (CPC/ JUD/) SSCR 3276 (CPI/ JDC/) CCR 75

STATUS : May-05 98 Received by the Governor  
----- -- PENDING FURTHER ACTION

SECT\_AFFD : 667- (22 SECTIONS) ALTERNATE POWER OF SALE FORECLOSURE PROCESS, 501-118

MEASURE : HB2519

ACT : 032 1998

TITLE : RELATING TO LIST OF PERSONS EXAMINING RECORDS.

INTRO : Souki J (BR) (586-6100)

DESCRIPT : Repeals the requirement that the state ethics commission maintain a list of persons who examine financial disclosure statements. -- HB2519

COMM\_REPT : HSCR 576-98 (JUD) SSCR 2791 (JDC) SSCR 3139 (CPI)

STATUS : Apr-16 98 Received by the Governor  
Apr-29 98 Approved by Governor (Act 32 1998)

EFF\_DATE : April 29, 1998

SECT\_AFFD : 84-31.5 (\*)

MEASURE : HB2520 HD1 (HSCR 160-98)

ACT : 017 1998

TITLE : RELATING TO FRIVOLOUS LOBBYING CHARGES.

INTRO : Souki J (BR) (586-6100)

DESCRIPT : Requires the state ethics commission, upon written request of the person charged, to determine whether a charge was frivolous for cases in which the commission does not issue a decision or final conclusion that a person has violated provisions related to lobbying. -- HB2520 HD1

COMM\_REPT : HSCR 160-98 (LMG) HSCR 619-98 (JUD) SSCR 2967 (JDC)

STATUS : Apr-02 98 Received by the Governor

CONCORD/9798 RE: PASSED LEGISLATURE 1998

Apr-13 98 Approved by Governor (Act 17 1998)  
 EFF\_DATE : April 13, 1998  
 SECT\_AFFD : 97-6 (\*)

MEASURE : HB2522 HD1 (HSCR 61-98)  
 ACT : 033 1998  
 TITLE : RELATING TO PARTIES.  
 INTRO : Souki J (BR) (586-6100)  
 DESCRIPT : Amends provision relating to the qualification of political parties. Changes the deadline to make all objections from the 10th to the 20th business day after a petition has been filed. Allows the chief election officer to extend the objection period up to an additional 10 business days, provided the group of persons desiring to qualify as a political party is given notice of the extension and reasons therefore. Requires approval of a petition if no objections are raised by 4:30 p.m. on the 20th business day, or the extension thereof. -- HB2522 HD1  
 COMM\_REPT : HSCR 61-98 (JUD) SSCR 3227 (JDC)  
 STATUS : Apr-16 98 Received by the Governor  
 Apr-29 98 Approved by Governor (Act 33 1998)  
 EFF\_DATE : April 29, 1998  
 SECT\_AFFD : 11-62 (\*)

MEASURE : HB2523  
 ACT : 023 1998  
 TITLE : RELATING TO THE GENERAL COUNTY REGISTER.  
 INTRO : Souki J (BR) (586-6100)  
 DESCRIPT : Amends provision relating to the general county register by deleting references to the provision relating to access to voter registration affidavits, lists, and registers, which has been declared unconstitutional. Replaces deleted references with references to provision relating to records open to inspection. -- HB2523  
 COMM\_REPT : HSCR 57-98 (JUD) SSCR 2968 (JDC)  
 STATUS : Apr-02 98 Received by the Governor  
 Apr-15 98 Approved by Governor (Act 23 1998)  
 EFF\_DATE : April 15, 1998  
 SECT\_AFFD : 11-14, 11-15

MEASURE : HB2524 HD1 SD1 CD1 (CCR 85)  
 TITLE : RELATING TO CONTESTS FOR CAUSE.  
 INTRO : Souki J (BR) (586-6100)  
 DESCRIPT : Amends provision relating to contests for cause. Authorizes the governor to call a new election in the event a general, special general, special, or runoff election is ruled invalid by the supreme court. Provides that the new election shall be held no later than 120 days after the judgment was filed. -- HB2524 CD1  
 COMM\_REPT : HSCR 44-98 (JUD) SSCR 3221 (JDC) CCR 85  
 STATUS : May-05 98 Received by the Governor  
 ----- PENDING FURTHER ACTION  
 SECT\_AFFD : 11-174.5 (\*)

MEASURE : HB2528 HD1 (HSCR 603-98)  
 ACT : 034 1998  
 TITLE : RELATING TO EMPLOYMENT SECURITY.  
 INTRO : Souki J (BR) (586-6100)  
 DESCRIPT : Exempts from employment covered under the employment security law service performed by an election official or election worker. -- HB2528 HD1  
 COMM\_REPT : HSCR 164-98 (LAB) HSCR 603-98 (FIN) SSCR 2814 (HRE) SSCR 3189 (WAM)  
 STATUS : Apr-16 98 Received by the Governor  
 Apr-29 98 Approved by Governor (Act 34 1998)  
 EFF\_DATE : April 29, 1998  
 SECT\_AFFD : 383-7 (\*)

MEASURE : HB2531 HD1 (HSCR 25-98)  
 ACT : 022 1998  
 TITLE : RELATING TO COUNTY ELECTIONS REQUIRING A RUNOFF.  
 INTRO : Souki J (BR) (586-6100)  
 DESCRIPT : Amends provision relating to elections to include the definition of runoff election. Amends provision relating to contests for cause in primary, special primary, general, special general, and county elections to include a runoff election. Amends provision relating to contests for cause in a general and special general election to include runoff elections. Provides that a county election held concurrently with a primary or special primary election is subject to a 6 day challenge period. -- HB2531 HD1  
 COMM\_REPT : HSCR 25-98 (JUD) SSCR 2969 (JDC)  
 STATUS : Apr-02 98 Received by the Governor

CONCORD/9798 RE: PASSED LEGISLATURE 1998

Apr-15 98 Approved by Governor (Act 22 1998)

EFF\_DATE : April 15, 1998

SECT\_AFFD : 11-1, 11-173.5, 11-174.5

MEASURE : HB2533 HD1 SD2 CD1 (CCR 55)

TITLE : RELATING TO QUARANTINE.

INTRO : Souki J (586-6100)

DESCRIPT : Amends provision relating to penalties under plant and non domestic animal quarantine law. Provides that any person or organization who owns or intentionally transports, possesses, harbors, transfers, or causes the importation of any snake or other prohibited animal, or any plant, animal or microorganism that is prohibited or restricted without a permit shall be guilty of a petty misdemeanor and subject to a fine of not less than 5,000 dollars, but not more than 20,000 dollars. Provides that any person or organization who intentionally transports, harbors, or imports with the intent to propagate, sell, or release any plant, animal, or microorganism that is prohibited or restricted without a permit shall be guilty of a class C felony and subject to a fine of not less than 50,000 dollars, but not more than 200,000 dollars. Defines intent to propagate. -- HB2533 CD1

COMM\_REPT : HSCR 26-98 (AGR) HSCR 608-98 (JUD) SSCR 2839 (ECD) SSCR 3250 (JDC) CCR 55

STATUS : May-05 98 Received by the Governor

----- -- PENDING FURTHER ACTION

SECT\_AFFD : 150A-14 (\*)

MEASURE : HB2537 HD1 SD1 (SSCR 2900)

TITLE : RELATING TO INSURANCE.

INTRO : Souki J (586-6100)

DESCRIPT : Establishes provisions that prohibit an insurer to engage in an unfairly discriminatory act or practice against a victim of domestic abuse for insurance contract provisions, benefit societies provisions, and health maintenance organizations (HMOs) provisions. -- HB2537 SD1

COMM\_REPT : HSCR 708-98 (CPC/ JUD/) SSCR 2900 (CPI) SSCR 3233 (JDC)

STATUS : May-07 98 Received by the Governor

----- -- PENDING FURTHER ACTION

SECT\_AFFD : 431:10- (1 SECTION), 432:1- (1 SECTION), 432:2- (1 SECTION), 432D- (1 SECTION)

MEASURE : HB2547 HD2 (HSCR 758-98)

TITLE : RELATING TO AGRICULTURE.

INTRO : Souki J (586-6100)

DESCRIPT : Authorizes the issuance of special purpose revenue bonds for the purpose of assisting the Palama Meat Company in financing the establishment of a slaughterhouse facility, to include a meat processing and a waste processing plant, on Oahu. (\$\$) -- HB2547 HD2

COMM\_REPT : HSCR 33-98 (AGR) HSCR 758-98 (FIN) SSCR 2821 (ECD) SSCR 3171 (WAM)

STATUS : May=13 98 Passed Legislature

----- -- PENDING FURTHER ACTION

MEASURE : HB2552 HD1 SD3 CD1 (CCR 172)

TITLE : RELATING TO GOVERNMENT.

INTRO : Souki J (586-6100)

DESCRIPT : Permits the department of land and natural resources to charge fees in order to partially defray the costs of administering the historic preservation program. -- Exempts the department of commerce and consumer affairs' special fund from central service expenses. -- Increases the duplication cost of government records to 50 cents. -- Adds administrative costs of the division of state parks which shall be expended from the aina hoomalu special fund. -- Provides that the school lunches shall be no more than 1 dollar per child and that the department of education shall provide a lower rate or free lunches to children based on their economic need. -- Includes fees for divorce certificates issued by the department of health. -- Increases fees for marriage licenses and amount distributed to the agent's benefit and compensation and to the general fund. -- Changes the filing fee for name changes from 50 to 100 dollars. -- Increases the fees for certain services provided by the criminal justice data center and state and county criminal justice agencies. -- Changes the environmental health program enhancement and education fund to environmental health education fund within the department of health. Requires moneys in the fund to be expended by the department for the purpose of enhancing the capacity of environmental health programs to improve public outreach efforts and consultations to industries regulated and educate the public, staff, and industries regulated thereunder. -- Amends Act 169, session laws of 1994, as amended by Act 143, session laws of 1995, as amended by Act 164, session laws of 1996, by repealing the sunset date for the environmental health program enhancement and education fund. -- Establishes a noise, radiation, and indoor air quality special fund within the department of health to partially fund the operating costs of the program mandated activities and functions, fund statewide education, demonstration, and outreach programs, provide training opportunities, and plan for future growth and expansion to meet emerging needs. -- Amends provisions relating to asbestos by establishing applications for variance provisions for asbestos or lead based paint to allow deviation from asbestos or lead based paint hazards standards. Provides criteria. Provides that any application for variance may be subject to public participation. Act to take effect on July 1, 1998. -- HB2552 CD1

COMM\_REPT : HSCR 728-98 (FIN) SSCR 2947 (HRE) SSCR 3293 (WAM) - filed FLOOR AMENDMENT 5 CCR 172

STATUS : May-14 98 Passed Legislature

----- -- PENDING FURTHER ACTION

SECT\_AFFD : 6E-3, 6E-16, 36-27, 92-21, 184-32, 302A-405, 338-14.5, 572-5, 574-5, 846-10.5, 846-23, 321-11.5, 321-15, 321-27, ACT 169 1994, ACT 143 1995, ACT 164 1996, 342P- (2 SECTIONS), 342F-14, 342P-28, 466J-4, 466J-5

MEASURE : HB2560 HD2 SD2 CD1 (CCR 140)

TITLE : RELATING TO THE UNIVERSITY OF HAWAII.

INTRO : Souki J (586-6100)

DESCRIPT : Allows the board of regents of the university of Hawaii to contract 1 or more attorneys to provide legal services for the university. Also allows the board of regents to agree in writing to indemnify collaborating institutions from claims arising against them for the gross negligence or wilful misconduct of the university's officers, employees, and agents in the course of their employment. Claims shall not constitute an obligation to the State. -- Provides that when the university determines that neither the university nor another state agency can more effectively or efficiently accomplish the purposes of sponsored research and training activities the university shall contract with the research corporation of the university of Hawaii (RCUH) to provide management and services to support the research and training activities. -- Establishes the university of Hawaii community services special fund, auxiliary enterprises special fund, and facilities use revolving fund. -- Allows the board of regents to define equipment. -- Allows the president of the university to approve expenditures of additional revenues if the amount of revenues received by special or revolving funds exceed the amount appropriated. Requires an annual report to the governor and legislature. -- Establishes requirements of the board in managing special and revolving funds. -- Establishes a university of Hawaii workers' compensation and unemployment insurance compensation special fund into which shall be deposited revenues derived from assessments for workers' compensation costs and unemployment insurance compensation costs against the special fund payroll of the university of Hawaii employees. Funds may be expended by the university for costs and expenses associated with the administration of the 2 programs. -- Establishes a university of Hawaii workers' compensation and unemployment insurance compensation revolving fund into which shall be deposited revenues derived from assessments for workers' compensation costs and unemployment insurance compensation costs against the revolving fund payroll of the university of Hawaii employees. Funds may be expended by the university for costs and expenses associated with the administration of the 2 programs. -- Exempts the board from the public notice, public hearing, and gubernatorial approval in establishing or amending fees or charges that generate receipts for deposit into any university special or revolving fund. -- Authorizes the board to enter into negotiations to establish respective optional retirement plans for university employees. -- Repeals the authority to set the salary for the president by the board and the legislature. -- Changes the division of community hospitals' special fund to the Hawaii health systems corporation special fund. -- Requires the university to submit its program and financial plans, budgetary requests, and program performance reports to the legislature for informational purposes. -- Repeals residency requirement for university employees. -- Provides that the temporary intergovernmental assignment of the board of regents shall be under the board which shall have the authority to approve all assignments. -- Allows motor vehicles owned or controlled by the university to bear the university logo or seal, or both, in lieu of the state seal. -- Requires the board of regents to develop internal policies and procedures for the procurement of goods and services. Allows the board to enter into concession agreements without regard to procurement code provisions. -- Suits against the university shall not be an obligation of the State. -- Provides that the general fund budget appropriations for the university shall be between 3 times to 5 times the amount of regular tuition and related fee revenues estimated for that fiscal year. -- Provides that university personnel shall not be subject to civil service and compensation provisions. -- Adds that in establishing the aquarium admission fee the board of regents of the university of Hawaii shall be exempt from public notice, public hearing, and gubernatorial approval requirements. Allows the fees to be established at an open meeting. Names the special fund to be the state aquarium special fund and allows the fund to be deposited in depositories other than the state treasury. -- Allows the state aquarium special fund to be deposited in depositories other than the state treasury. -- Repeals governor's participation in the Western Governors University and allows the board of regents to participate in or be a member of an educational consortium. -- Amends Act 321, session laws of 1986, as amended by Act 283, session laws of 1987, as amended by Act 371, session laws of 1989, as amended by Act 163, session laws of 1991, as amended by Act 314, session laws of 1993, as amended by Act 8, special session laws of 1993, and as amended by Act 180, session laws of 1997, by extending the sunset date to June 30, 2005. -- Requires the university to abolish administratively created special funds of the university. -- Requires the president to submit annual reports on the revenues and expenditures of the programs of the special funds and efforts to decentralize decision making at the university to the legislature. Requires the board to work with the director of finance to agree on a mechanism and procedure for financing the purchase of equipment. Requires the board, the director, and the attorney general to agree on a procedure applicable to the university for entering financing agreements. Appropriation. Act to take effect July 1, 1998. (\$\$) -- HB2560 CD1

COMM\_REPT : HSCR 445-98 (HED) HSCR 794-98 (FIN) SSCR 2880 (EDU) SSCR 3265 (WAM) CCR 140

STATUS : May-13 98 Passed Legislature

----- -- PENDING FURTHER ACTION

SECT\_AFFD : 304- (12 SECTIONS), 88- (1 SECTION), 26-52, 28-8.3, 36-27, 36-30, 37-53, 37-68, 37-74, 78-1, 83-2, 89-9, 105-6, 304-4, 304-6, 304-7.5, 304-8, 304-11, 304-16.5, 304-32, 304-33, 304-111, ACT 321 1986, ACT 283 1987, ACT 371 1989, ACT 163 1991, ACT 314 1993, ACT 8 1993 1SP, ACT 180 1997

MEASURE : HB2563 SD2 CD1 (CCR 163)

TITLE : RELATING TO SCHOOL-BASED BUDGETING.

INTRO : Souki J (586-6100)

DESCRIPT : Requires the governor to submit a budget that names each school as the lowest program level in the state program structure (school based budgeting) except for the district and state office programs. -- Establishes an education contingent fund, which sum, upon approval by the legislature, shall be available for allocation by the board of education to adjust for unanticipated changes in individual school budgets a result of personnel movements among schools. -- Requires each public school to engage in school by school budgeting beginning with the budget preparation for the 1999 - 2000 school year with the

assistance of the department of education. Allows each school to have full discretion over funds designated as school lump sum funds. Requires the department through the state or district office to provide training and technical assistance to schools in budget preparation and execution. Adds that the department's annual allotment and expenditure plan to the governor identify the amount the department will allocate for school lump sum funding. Act to take effect July 1, 1998. -- HB2563 CD1

COMM\_REPT : HSCR 165-98 (EDN) HSCR 543-98 (FIN) SSCR 2881 (EDU) SSCR 3200 (WAM) CCR 163

STATUS : May-13 98 Passed Legislature

----- -- PENDING FURTHER ACTION

SECT\_AFFD : 37-71, 37-74, 302A- (1 SECTION), 37-34.5

MEASURE : HB2564 HD1 SD2 CD1 (CCR 164)

TITLE : RELATING TO EDUCATION.

INTRO : Souki J (586-6100)

DESCRIPT : Establishes a pilot program establishing a temporary commission on educational accountability within the office of the auditor. Commission to consist of 9 members including 1 member representing teachers and other personnel of the department of education, 1 member representing educational officers, 1 member representing the university of Hawaii, 2 members appointed by the governor, 2 members appointed by the senate president, and 2 members appointed by the speaker of the house of representatives. Commission to cease to exist on June 30, 2002 (sunset). Requires the commission to develop a process and protocols for a comprehensive evaluation of all public schools that shall be conducted in 10 schools every 2 years. Requires the evaluation process to include inspection of records and on site review of every aspect of the school's operation. Requires the commission to select the initial team or teams by December 31, 1998. Report to the legislature. Requires the commission to receive reports of the evaluation teams and transmit them to the board of education and the individual schools within 30 days of completion of the on site review. Annual reports from the year 2000 to 2002. -- Allows the department of education to employ retired teachers and educational officers at part time of less than 100 per cent full time equivalent status in shortage areas, with prior approval of the superintendent, pursuant to collective bargaining agreements. Prohibits retired teachers who are rehired to earn retirement service credit, to contribute to the retirement system, or to gain additional retirement system benefits, provided that the retired teacher continues to receive entitled normal retirement benefits without penalty. Act to be repealed at the close of the 1997 - 1998 school year (sunset). -- Adds that the educational assessments submitted by the department to the legislature and the governor include results of assessments of educational outcomes including reference to student performance standards adopted by the board reported whenever feasible and appropriate cross sectionally by school and longitudinally by student cohort, with the results made available to the public through print, broadcast, and electronic media. -- Allows the board of education to assess and collect a deposit fee on school books which shall be returned upon return of the school book. Fee to apply to the restitution or replacement costs of the book in case of loss, destruction, breakage, or damage. -- Establishes a comprehensive student support system within the department to build relationships among teachers, other school professionals, and students so that each school becomes a caring, nurturing, learning community. Report to the legislature. Act to take effect July 1, 1998. (\$\$) -- HB2564 CD1

COMM\_REPT : HSCR 111-98 (EDN) HSCR 798-98 (FIN) SSCR 2882 (EDU) SSCR 3285 (WAM) CCR 164

STATUS : May-13 98 Passed Legislature

----- -- PENDING FURTHER ACTION

SECT\_AFFD : 302A-1004, 302A-1130

MEASURE : HB2567 HD2 SD1 CD1 (CCR 61)

TITLE : RELATING TO THE DUPLICATION OF GOVERNMENTAL SERVICES.

INTRO : Souki J (586-6100)

DESCRIPT : Requires the governor and the mayors of the counties to analyze the issue of duplicative state and county services; determine areas of duplication and methods to consolidate; draft implementation plans to eliminate duplication; and draft a final plan, including necessary proposed legislation which shall eliminate duplicative services, but shall not diminish, abridge, or eliminate any of the currently existing services relating to highways, public and private roads, and parks whether provided by the State or counties. Reports to the legislature. -- HB2567 CD1

COMM\_REPT : HSCR 319-98 (LAB) HSCR 801-98 (FIN) SSCR 2912 (GOH/ TIA/) SSCR 3201 (WAM) CCR 61

STATUS : May-05 98 Received by the Governor

----- -- PENDING FURTHER ACTION

MEASURE : HB2598 HD2 SD2 CD1 (CCR 69)

TITLE : RELATING TO AUTOMATIC EXTERNAL DEFIBRILLATORS.

INTRO : Kawakami B (586-6280)

DESCRIPT : Allows any 1st responder personnel certified by the department of health and under the oversight of a licensed physician or any person who establishes or successfully completes an automatic external defibrillator training program administered by a physician to provide automatic external defibrillation. Provides immunity from liability to any person who successfully completes a training program, uses an automatic external defibrillator in good faith, without remuneration or expectation of remuneration, to resuscitate a person in immediate danger. Further provides immunity from liability to any person, including an employer, who establishes an automatic external defibrillator program, from any act or omission of their trained persons or employees acting in good faith. Adds definition of automatic external defibrillator program. -- HB2598 CD1

COMM\_REPT : HSCR 106-98 (HLT) HSCR 514-98 (JUD) SSCR 2875 (HEV) SSCR 3208 (JDC) CCR 69

STATUS : May-05 98 Received by the Governor

----- -- PENDING FURTHER ACTION

SECT\_AFFD : 453-2, 663-1.5

CONCORD/9798 RE: PASSED LEGISLATURE 1998

MEASURE : HB2613 HD1 SD1 CD1 (CCR 86)  
TITLE : RELATING TO THE BOARD OF SUPERVISORS.  
INTRO : Souki J (BR) (586-6100)  
DESCRIPT : Amends provision relating to the county boards of supervisors by replacing references to the boards with " council of the county ". -- HB2613 CD1  
COMM\_REPT : HSCR 195-98 (JUD) SSCR 2813 (TIA) CCR 86  
STATUS : May-05 98 Received by the Governor  
----- -- PENDING FURTHER ACTION  
SECT\_AFFD : 46-72, 54-52, 54-54, 54-59, 54-61, 54-64, 88-182, 88-185, 105-7

MEASURE : HB2614 SD1 (SSCR 2924)  
TITLE : RELATING TO POLICE OFFICERS, FIREFIGHTERS, AND BANDSMEN PENSION SYSTEM.  
INTRO : Souki J (BR) (586-6100)  
DESCRIPT : Exempts counties from the requirement to maintain a police officers, firefighters, and bandsmen pension system if that county has no constituency for the pension system. -- HB2614 SD1  
COMM\_REPT : HSCR 527-98 (LAB) SSCR 2924 (HRE) SSCR 3001 (WAM)  
STATUS : May-06 98 Received by the Governor  
----- -- PENDING FURTHER ACTION  
SECT\_AFFD : 88-153 (\*)

MEASURE : HB2626 HD1 (HSCR 650-98)  
ACT : 035 1998  
TITLE : RELATING TO OCCUPATIONAL THERAPY.  
INTRO : Souki J (BR) (586-6100)  
DESCRIPT : Amends occupational therapy laws to reflect the current name of the certifying organization, the national board for certification in occupational therapy. -- HB2626 HD1  
COMM\_REPT : HSCR 52-98 (HLT) HSCR 650-98 (CPC) SSCR 3263 (CPI)  
STATUS : Apr-16 98 Received by the Governor  
Apr-29 98 Approved by Governor (Act 35 1998)  
EFF\_DATE : April 29, 1998  
SECT\_AFFD : 457G-2 (\*)

MEASURE : HB2648 HD2 SD1 CD1 (CCR 162)  
TITLE : RELATING TO WORKERS' COMPENSATION.  
INTRO : Yonamine N (586-6520)  
DESCRIPT : Amends workers' compensation law to exclude compensation for an employee's mental stress that is a consequence of disciplinary action by the employer taken in good faith. Provides that if a collective bargaining agreement or other employment agreement specifies a different standard than good faith, the standards set in the collective bargaining agreement or other agreement shall apply. -- HB2648 CD1  
COMM\_REPT : HSCR 405-98 (LAB) HSCR 509-98 (FIN) SSCR 2953 (HRE) SSCR 3203 (WAM) CCR 162  
STATUS : May-13 98 Passed Legislature  
----- -- PENDING FURTHER ACTION  
SECT\_AFFD : 386-3 (\*)

MEASURE : HB2660 SD1 (SSCR 2852)  
TITLE : RELATING TO THE PUBLIC SERVICE COMPANY TAX.  
INTRO : Say C (586-6200)  
DESCRIPT : Establishes that carrier does not include a tour packager for public service company tax purposes. Provides that where the transportation of passengers or property are furnished through arrangements between motor carriers, and the gross income is divided between the carriers, any public service company tax shall apply to each carrier with respect to each carriers' respective portion of the proceeds. Allows accounts found to be worthless and actually charged off for income tax purposes to be deducted from gross income. Changes motor carrier to include the transporting of persons or property for compensation. -- HB2660 SD1  
COMM\_REPT : HSCR 483-98 (FIN) SSCR 2852 (CPI) SSCR 3169 (WAM)  
STATUS : May-06 98 Received by the Governor  
----- -- PENDING FURTHER ACTION  
SECT\_AFFD : 239-2 (\*)

MEASURE : HB2666 HD1 SD1 CD1 (CCR 80)  
TITLE : RELATING TO DOMESTIC VIOLENCE.  
INTRO : Tom T (586-6490)  
DESCRIPT : Amends provisions relating to domestic abuse. -- Amends definition of " family or household members " to include persons having a child in common. -- Removes the requirement that judges consider " recent " acts of abuse in considering petitions by victims for protective orders. -- Establishes a fine of not less than 150 dollars nor more than 500 dollars for the 1st conviction of a violation of a temporary restraining order, and a fine not less than 250 dollars nor more than 1,000 dollars for the 2nd or any subsequent conviction and mandatory immediate incarceration to serve the minimum sentence imposed; provided that the defendant may be admitted to bail pending appeal, and the court may stay the imposition of the sentence if special circumstances exist. Permits the court not to impose such fines unless the defendant is or will be able to pay the fine. Requires

any fines collected to be deposited into the spouse and child abuse special account. -- Requires a person convicted of a temporary restraining order violation to undergo domestic violence intervention. -- Provides that a protective order may be extended for a period not to exceed 3 years from the expiration of the preceding protective order. Provides that a court may terminate the extended protective order at any time with the mutual consent of the parties. -- Provides that a court may sentence a defendant convicted of a domestic violence violation to a period of probation not exceeding 2 years. Replaces term "cooling off period" with "period of separation" and replaces "domestic violence treatment and counseling" with "domestic violence intervention". -- Requires a person convicted of a domestic violence offense within 2 years of a previous offense to be charged with a class C felony. -- Provides that a deferred acceptance of a guilty plea shall not be permitted when a domestic violence offense is committed. -- HB2666 CD1

COMM\_REPT : HSCR 578-98 (JUD) SSCR 3252 (JDC) CCR 80

STATUS : May-05 98 Received by the Governor

----- -- PENDING FURTHER ACTION

SECT\_AFFD : 586-1, 586-4, 586-5, 586-5.5, 586-6, 601-3.6, 706-623, 709-906, 853-4

MEASURE : HB2667 HD1 SD1 CD1 (CCR 87)

TITLE : RELATING TO CRUELTY TO ANIMALS.

INTRO : Tom T (BR) (586-6490)

DESCRIPT : Amends provision relating to cruelty to animals to include any person who intentionally, knowingly, or recklessly deprives a pet animal of necessary sustenance or causes deprivation. Defines pet animal and necessary sustenance. -- HB2667 CD1

COMM\_REPT : HSCR 580-98 (JUD) SSCR 3222 (JDC) CCR 87

STATUS : May-05 98 Received by the Governor

----- -- PENDING FURTHER ACTION

SECT\_AFFD : 711-1100, 711-1109

MEASURE : HB2670 HD2 SD1 (SSCR 2989)

TITLE : RELATING TO PSYCHOLOGISTS.

INTRO : Menor R (BR) (586-6150)

DESCRIPT : Amends provisions relating to psychologists to exclude any person who is a member of another profession licensed under the laws of this jurisdiction to render services within the scope of practice of the person's professional practice, provided that the person does not represent the person's self to be a psychologist or licensed to practice psychology. -- HB2670 SD1

COMM\_REPT : HSCR 220-98 (HLT) HSCR 760-98 (CPC) SSCR 2989 (CPI)

STATUS : May-06 98 Received by the Governor

----- -- PENDING FURTHER ACTION

SECT\_AFFD : 465-3 (\*)

MEASURE : HB2671 HD2 SD1 (SSCR 2853)

TITLE : RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST UTILITIES SERVING THE GENERAL PUBLIC.

INTRO : Menor R (586-6150)

DESCRIPT : Authorizes the issuance of special purpose revenue bonds for Hawaiian Electric Company, Inc. (Oahu) and Hawaii Electric Light Company, Inc. provided no funds to be used for the installation of a 138 kV line between the Kamoku substation and the Pukele substation, and provided that public utilities commission approval be required for any project financed by this Act, and provided further that no funds to be used for nuclear fuel generating units. Annual report to the legislature. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- HB2671 SD1

COMM\_REPT : HSCR 244-98 (CPC) HSCR 518-98 (FIN) SSCR 2853 (CPI) SSCR 3196 (WAM)

STATUS : May-14 98 Passed Legislature

----- -- PENDING FURTHER ACTION

MEASURE : HB2672 HD1 SD1 (SSCR 3144)

TITLE : RELATING TO CAPTIVE INSURANCE COMPANIES.

INTRO : Menor R (586-6150)

DESCRIPT : Authorizes the insurance commissioner to approve service providers to captive insurance companies including captive insurance managers, independent certified public accountants, actuaries, and loss reserve specialists. -- Allows captive insurance companies to provide personal motor vehicle or homeowner's insurance coverage or any component thereof as employee benefits for the employees of a parent, association, or its members, and their respective affiliated companies. -- Establishes provisions which apply to association captive insurance companies including risk retention companies. -- HB2672 SD1

COMM\_REPT : HSCR 690-98 (CPC) SSCR 3144 (CPI)

STATUS : May-07 98 Received by the Governor

----- -- PENDING FURTHER ACTION

SECT\_AFFD : 431:19- (1 SECTION), 431:19-101, 431:19-102, 431:19-104, 431:19-105, 431:19-115

MEASURE : HB2675 HD2 SD1 CD1 (CCR 114)

TITLE : RELATING TO CONSUMER PROTECTION.

INTRO : Menor R (586-6150)

DESCRIPT : Requires applicants to pass the national board of chiropractic examiners' written examination, parts I and II, and the written clinical competency examination, part III, to qualify for the state chiropractic written examination. Requires the board to contract with a professional testing service to prepare, administer, and grade the state chiropractic examination. Further requires a

license to be granted to any applicant who attains a passing score, as determined by the board. Provides that any applicant shall certify on the application that he has read, understood, and agrees to comply with the laws and rules that the board determines are required for licensure. -- Amends the provision that a bond with respect to which no premium is charged or paid shall not be considered to be insurance by adding the definition of premium to mean the required payment of money or money's worth to the surety for the surety's obligation and is not the giving of any indemnification to the surety or conferring of any benefit on the surety if the benefit was not required by the surety. -- Provides that a person engages in a deceptive business practice when the person uses a device, instrument, agreement, contract, or document that eliminates or diminishes the protections that a bond provides to a homeowner for home construction or home improvements. -- Requires at least 1 of the 7 physician or surgeon members of the board of medical examiners to be an osteopathic physician or surgeon. -- Changes the board of osteopathic examiners to the board of medical examiners. Repeals the board of dental examiners, board of barbering and cosmetology, and the board of speech pathology and audiology and transfers all powers and duties to the director of commerce and consumer affairs. Requires the department to regulate all other professions and occupations licensed under its jurisdiction. Provides that rules, guidelines, and other material to an abolished board or commission is referred to the director. Requires the legislative reference bureau, with the assistance of the board of dental examiners, to conduct a study on the licensing examination used by the board. Further requires the legislative reference bureau, with the assistance of the legislative auditor, to conduct a study on the dental provider reimbursement practices of insurers and related entities. Report to the legislature. Act to take effect on July 1, 1998, provided that board of dental examiners and multiple board provisions shall take effect on July 1, 2000. -- HB2675 CD1

COMM\_REPT : HSCR 526-98 (CPC) HSCR 714-98 (CPC) SSCR 3145 (CPI) CCR 114

STATUS : May-05 98 Received by the Governor

----- -- PENDING FURTHER ACTION

SECT\_AFFD : 442-6, 431:1-201, 481A-3, 423-1, 448-1.5, 448-2, 448-3, 448-6, 448-7, 448-9, 448-9.5, 448-10, 448-11, 448-12, 448-13, 448-16, 448-17, 448-18, 448-22, 448-23, 448-5, 453-5, 460-1, 460-3, 460-14, 460-17, 460-19, 461-1, 671-5, 671-11, 671-15, 460-4, 438-5, 438-6, 438-7, 438-8, 438-8.5, 438-10, 438-12, 438-14, 439-1, 439-11, 439-12, 439-12.5, 439-13, 439-14, 439-15, 439-16, 439-17, 439-18, 439-19, 439-20, 439-21, 438-1, 438-3, 468E-2, 468E-5, 468E-7, 468E-8, 468E-9, 468E-10, 468E-11, 468E-12, 468E-13, 468E-14, 468E-6, 26-9, 329-44, 451D-2

MEASURE : HB2680 HD2 SD1 CD2 (CCR 137)

TITLE : RELATING TO STUDENT-CENTERED SCHOOLS.

INTRO : Stegmaier D (586-6420)

DESCRIPT : Requires the department of education through its board and superintendent to provide information and technical assistance necessary to support the establishment and expansion of student centered schools. Provides that the board of education shall represent the schools in communications with the governor and legislature and that the board shall submit financial requirements for state funds for the schools. Requires all policies and rules adopted by the school to be preceded by an open public meeting. Provides that employment, appointment, promotion, transfer, demotion, discharge, and job descriptions of all officers and employees of or under the jurisdiction of the school shall be determined by the school and applicable personnel laws and collective bargaining agreements. Provides that the board or the superintendent shall not have the power to supervise or control the student centered school. Allows exclusive bargaining unit representatives and the school to enter into agreements that contain cost and noncost items. Requires the State to afford the local school board of any student centered school the same protections as the State affords to the board of education. Provides that allocation to the schools shall be based upon the operational and educational funding requirements of the schools. Provides that for 1997 - 1998, the allocation for student centered schools shall be based on total pupil expenditure as determined by the legislative auditor provided that the allocation may be adjusted by the auditor to reflect changes to the department's budget in the Supplemental Appropriations Act of 1998, and any appropriation made for collective bargaining agreements, and that any school may negotiate an adjusted allocation in order to have the department provide services to the school. Provides that in fiscal year 1999 - 2000, and every thereafter, the auditor shall determine the appropriate allocation. Requires schools to submit an annual self evaluation to the board. Requires the board to evaluate schools every 4 years. Establishes a 2 year probationary period for schools to bring student performance into compliance with statewide standards. Requires the department to distribute the full appropriation due to a school directly to the school. Act to take effect on July 1, 1998. -- HB2680 CD2

COMM\_REPT : HSCR 449-98 (EDN) HSCR 769-98 (FIN) SSCR 2914 (EDU) SSCR 3266 (WAM) CCR 118 CCR 137

STATUS : May-13 98 Passed Legislature

----- -- PENDING FURTHER ACTION

SECT\_AFFD : 302A- (2 SECTIONS), 302A-1123, 302A-1302

MEASURE : HB2695

ACT : 012 1998

TITLE : RELATING TO HIGHER EDUCATION.

INTRO : Takai K (586-8455)

DESCRIPT : Repeals college and university student leaders conference. -- HB2695

COMM\_REPT : HSCR 471-98 (HED) SSCR 2811 (EDU)

STATUS : Mar-30 98 Received by the Governor

Apr-07 98 Approved by Governor (Act 12 1998)

EFF\_DATE : April 7, 1998

SECT\_AFFD : 318-1, 318-2, 318-3, 318-4, 318-5, 318-6



CONCORD/9798 RE: PASSED LEGISLATURE 1998

MEASURE : HB2701 HD2 SD1 CD1 (CCR 56)  
 TITLE : RELATING TO TELECOMMUNICATION.  
 INTRO : Herkes R (586-6530)  
 DESCRIPT : Prohibits a telecommunications carrier to initiate a change in a subscriber's selection or destination of long distance carrier without authorization. Establishes penalties. -- HB2701 CD1  
 COMM\_REPT : HSCR 217-98 (EDB) HSCR 766-98 (CPC/ JUD/) SSCR 3146 (CPI) CCR 56  
 STATUS : May-05 98 Received by the Governor  
 ----- -- PENDING FURTHER ACTION  
 SECT\_AFFD : 269- (1 SECTION) (\*)

MEASURE : HB2708  
 ACT : 036 1998  
 TITLE : RELATING TO COURTS AND JUDICIAL PROCEEDINGS.  
 INTRO : Souki J (BR) (586-6100)  
 DESCRIPT : Amends provision relating to the form for executions, warrants, and mittimus by allowing such forms to be established by the usage and practice of the issuing courts. Repeals statutory execution, warrant, and mittimus forms. -- HB2708  
 COMM\_REPT : HSCR 59-98 (JUD) SSCR 3228 (JDC)  
 STATUS : Apr-16 98 Received by the Governor  
 Apr-29 98 Approved by Governor (Act 36 1998)  
 EFF\_DATE : July 1, 1998  
 SECT\_AFFD : 651-32, 805-1, 805-7

MEASURE : HB2709 HD1 (HSCR 132-98)  
 ACT : 037 1998  
 TITLE : RELATING TO NONCONSENSUAL COMMON LAW LIENS.  
 INTRO : Souki J (BR) (586-6100)  
 DESCRIPT : Amends the nonconsensual common liens law by amending the definition of state or local officer or employee to include a court appointed commissioner, an appointed or elected officer, an employee of the judiciary, or an employee of a state or county department, agency, board, authority, or commission. -- HB2709 HD1  
 COMM\_REPT : HSCR 132-98 (JUD) SSCR 3231 (JDC)  
 STATUS : Apr-16 98 Received by the Governor  
 Apr-29 98 Approved by Governor (Act 37 1998)  
 EFF\_DATE : April 29, 1998  
 SECT\_AFFD : 507D-2 (\*)

MEASURE : HB2710 HD1 SD1 CD1 (CCR 148)  
 TITLE : RELATING TO THE JUDICIARY.  
 INTRO : Souki J (BR) (586-6100)  
 DESCRIPT : Judiciary Supplemental Appropriations Act of 1998. Amends Act 155, session laws of 1997, relating to the judiciary budget. Act to take effect July 1, 1998. (\$\$) -- HB2710 CD1  
 COMM\_REPT : HSCR 805-98 (FIN) SSCR 3297 (WAM) CCR 148  
 STATUS : May-13 98 Passed Legislature  
 ----- -- PENDING FURTHER ACTION  
 SECT\_AFFD : ACT 155 1997 (\*)

MEASURE : HB2711 HD1 SD1 (SSCR 2806)  
 TITLE : RELATING TO THE MANAGEMENT OF FINANCING AGREEMENTS.  
 INTRO : Souki J (BR) (586-6100)  
 DESCRIPT : Amends provision relating to the management of financing agreements by including the judiciary in the definition of " agency ". Requires, for each fiscal period, the executive and judiciary budget requests submitted to the legislature to include amounts that will be due on unpaid financing agreements during that fiscal period. -- HB2711 SD1  
 COMM\_REPT : HSCR 533-98 (FIN) SSCR 2806 (JDC) SSCR 3006 (WAM)  
 STATUS : May-06 98 Received by the Governor  
 ----- -- PENDING FURTHER ACTION  
 SECT\_AFFD : 37D-1, 37D-4

MEASURE : HB2714 HD2 SD1 CD1 (CCR 109)  
 TITLE : RELATING TO UNCOLLECTIBLE ACCOUNTS IN THE JUDICIARY.  
 INTRO : Souki J (BR) (586-6100)  
 DESCRIPT : Amends provision relating to uncollectible accounts. Permits the judiciary to designate certain delinquent fines and restitution as uncollectible, provided that no account shall be so designated until it shall have been delinquent for at least 2 years. Requires that such fines or restitution be entered in a special record and be deleted from other books kept by the judiciary in accordance with proper accounting standards. Provides that any fines or restitution written off may be transferred back to the judiciary's accounts if it finds that the fines or restitution are collectible, or have become collectible. Annual report to the legislature. -- HB2714 CD1  
 COMM\_REPT : HSCR 28-98 (JUD) HSCR 505-98 (FIN) SSCR 2792 (JDC) SSCR 3007 (WAM) CCR 109

CONCORD/9798 RE: PASSED LEGISLATURE 1998

STATUS : May-05 98 Received by the Governor  
----- -- PENDING FURTHER ACTION  
SECT\_AFFD : 40-82 (\*)

MEASURE : HB2734 SD1 CD1 (CCR 88)  
TITLE : RELATING TO SCHOOL BUSES.  
INTRO : Ito K (586-8470)  
DESCRIPT : Amends overtaking and passing school bus provisions by specifying that whenever a school bus is stopped on a highway or road in a residential area with its visual signals actuated, the driver of any motor vehicle in all lanes adjacent to the lane occupied by the school bus, regardless of direction to stop not less than 20 feet from the school bus. Exempts a highway or road that has been divided into 2 or more lanes separated by an intervening space, a physical barrier, or a clearly indicated dividing section. Adds a fine of 500 dollars. Act to take effect July 1, 1998. -- HB2734 CD1  
COMM\_REPT : HSCR 131-98 (JUD) SSCR 2963 (TIA) CCR 88  
STATUS : May-05 98 Received by the Governor  
----- -- PENDING FURTHER ACTION  
SECT\_AFFD : 291C-95, 291C-161

MEASURE : HB2749 HD1 SD1 CD1 (CCR 165)  
TITLE : RELATING TO TAXATION.  
INTRO : Goodenow K (586-9450)  
DESCRIPT : Provides a low income refundable tax credit for income up to 20,000 dollars. -- Changes the income tax brackets by starting the bracket at 4,000 dollars for joint returns, 3,000 dollars for a head of a household, 2,000 dollars for an unmarried individual, and 2,000 dollars for estates and trusts. Reduces the tax rates for the taxable year beginning after December 31, 1998, again for the taxable year beginning after December 31, 2000, and again for the taxable year beginning after December 31, 2001. -- Repeals the food income tax credit. -- Amends business development corporations law by prohibiting its use to create a corporation after June 30, 1998. Allows those corporations incorporated under this law before July 1, 1998, and fulfills the purposes and requirements of this law to continue to operate. Repeals the law on December 31, 2001 (sunset). Establishes a graduated tax credit of 80 per cent beginning January 1, 1998, 60 per cent beginning January 1, 1999, 40 per cent beginning January 1, 2000, and 20 per cent beginning January 1, 2001. -- HB2749 CD1  
COMM\_REPT : HSCR 686-98 (FIN) SSCR 3296 (WAM) CCR 165  
STATUS : May-13 98 Passed Legislature  
----- -- PENDING FURTHER ACTION  
SECT\_AFFD : 235- (1 SECTION), 235-51, 235-55.8, 420- (1 SECTION)

MEASURE : HB2750 HD1 SD1 CD1 (CCR 159)  
TITLE : RELATING TO STATE BONDS.  
INTRO : Say C (586-6200)  
DESCRIPT : Provides declaration of findings on debt limit with respect to general obligation refunding bonds and provides authorization for the issuance of general obligation bonds. -- HB2750 CD1  
COMM\_REPT : HSCR 725-98 (FIN) SSCR 3275 (WAM) CCR 159  
STATUS : May-13 98 Passed Legislature  
----- -- PENDING FURTHER ACTION

MEASURE : HB2758 HD1 SD2 (SSCR 3177)  
TITLE : RELATING TO PROCUREMENT.  
INTRO : Souki J (BR) (586-6100)  
DESCRIPT : Amends provision relating to procurement. Authorizes the procurement policy board to issue interim rules by procurement directives exempt from the requirements of administrative procedure law, provided that the interim rules shall be remain in effect no longer than June 30, 1999. Act to take effect July 1, 1998. -- HB2758 SD2  
COMM\_REPT : HSCR 726-98 (FIN) SSCR 2939 (GOH/ HRE/) SSCR 3177 (WAM)  
STATUS : May-06 98 Received by the Governor  
----- -- PENDING FURTHER ACTION  
SECT\_AFFD : 103F-106 (\*)

MEASURE : HB2760 HD1 SD2 (SSCR 3002)  
TITLE : RELATING TO SALARY PERIODS.  
INTRO : Souki J (BR) (586-6100)  
DESCRIPT : Amends provision relating to public service. Provides that an employee working for the state for at least 6 months with no paid leave accumulated and an existing salary overpayment balance shall be paid on the same pay dates and for the same pay periods as non salaried employees, and upon accumulation of 80 hours of paid leave, shall be paid on the same pay dates and for the same pay periods as salaried employees. -- Provides that an employee working for the state for at least 6 months with at least 2 incidents of leave which resulted in salary overpayment within the past 6 months shall be paid on the same pay dates and for the same pay period as non salaried employees, and if there are no incidents of leave which result in salary overpayment for a subsequent 4 month period, the employee shall be paid on the same pay dates and for the same pay periods as salaried employees. Act to take effect June 29, 1998. -- HB2760 SD2  
COMM\_REPT : HSCR 348-98 (LAB) HSCR 506-98 (FIN) SSCR 2954 (HRE) SSCR 3002 (WAM)

CONCORD/9798 RE: PASSED LEGISLATURE 1998

STATUS : May-06 98 Received by the Governor  
----- -- PENDING FURTHER ACTION

SECT\_AFFD : 78-13 (\*)

MEASURE : HB2761 SD1 (SSCR 2926)  
TITLE : RELATING TO SALARY PAYMENTS TO NEW EMPLOYEES.  
INTRO : Souki J (BR) (586-6100)  
DESCRIPT : Amends provision relating to public employees. Requires all employees hired on or after July 1, 1998 to designate a financial institution account into which the state shall deposit an employee's pay. Authorizes the comptroller to waive the requirements for any state employee upon request by the head of the employing department. -- Provides that all employees, except those belonging to bargaining units 5 and 7, hired on or after July 1, 1998 shall be paid on the same pay dates and for the same pay periods as non salaried employees. Act to take effect June 30, 1998. -- HB2761 SD1

COMM\_REPT : HSCR 349-98 (LAB) HSCR 549-98 (FIN) SSCR 2926 (HRE) SSCR 3003 (WAM)

STATUS : May-06 98 Received by the Governor  
----- -- PENDING FURTHER ACTION

SECT\_AFFD : 40-53, 78-13

MEASURE : HB2762 HD1 SD1 (SSCR 2854)  
TITLE : RELATING TO POOLED INSURANCE.  
INTRO : Souki J (BR) (586-6100)  
DESCRIPT : Amends pooled insurance provisions to include public works projects that may have multiple sites and projects that involve ongoing construction in phases. -- HB2762 SD1

COMM\_REPT : HSCR 463-98 (FIN) SSCR 2854 (CPI) SSCR 3162 (WAM)

STATUS : May-07 98 Received by the Governor  
----- -- PENDING FURTHER ACTION

SECT\_AFFD : 431:10-222.5 (\*)

MEASURE : HB2768  
ACT : 019 1998  
TITLE : RELATING TO MILK.  
INTRO : Souki J (BR) (586-6100)  
DESCRIPT : Amends Act 118, session laws of 1997 relating to formulas and criteria adopted by the department of agriculture for determining the salvage values for milk, by repealing sunset date of June 30, 1998. -- HB2768

COMM\_REPT : HSCR 178-98 (AGR) HSCR 733-98 (CPC) SSCR 2982 (ECD)

STATUS : Apr-03 98 Received by the Governor  
Apr-15 98 Approved by Governor (Act 19 1998)

EFF\_DATE : June 29, 1998

SECT\_AFFD : ACT 118 1997 (\*)

MEASURE : HB2774 SD1 (SSCR 2855)  
TITLE : RELATING TO THE UNIFORM INFORMATION PRACTICES ACT (MODIFIED).  
INTRO : Souki J (BR) (586-6100)  
DESCRIPT : Establishes provision relating to the uniform information practices act. Requires a person filing a civil action that is under, related to, or affected by the uniform information practices act to notify the office of information practices in writing at the time of such filing. Provides that the office may intervene in such an action. -- HB2774 SD1

COMM\_REPT : HSCR 529-98 (JUD) SSCR 2855 (CPI) SSCR 3211 (JDC)

STATUS : Apr-29 98 Received by the Governor  
----- -- PENDING FURTHER ACTION

SECT\_AFFD : 92F- (1 SECTION) (\*)

MEASURE : HB2776 HD1 SD2 CD1 (CCR 89)  
TITLE : RELATING TO RESTITUTION.  
INTRO : Souki J (BR) (586-6100)  
DESCRIPT : Establishes provision relating to victim restitution. Defines victim. Allows the court to order a defendant to make restitution for losses suffered by the victim or victims as a result of the defendant's offense. Provides criteria. -- Establishes procedure for civil enforcement proceedings to allow a certified or exemplified copy of an order of any court of this State for payment of a fine or restitution to be filed in the office of the clerk of an appropriate court as a special proceeding. Provides that in the event the victim has received or applied for reimbursement from any governmental entity, the victim named in the order or the victim's attorney shall mail notice of the filing to the governmental entity providing reimbursement and shall file proof of mailing with the clerk. -- Amends provision relating to extensions to include restitution for damages or injury to the victim of a crime. Provides that a criminal action is pending until the court's jurisdiction in the criminal action is terminated. -- Amends provision relating to fines to include restitution. -- Requires a defendant, upon discharge, to be relieved of any obligation imposed by the court except to collect unpaid fines, restitution, attorney's fees, courts costs, or interests. -- Amends provision relating to the consequences of nonpayment, imprisonment for contumacious nonpayment, and summary collection. Allows the unpaid portion of a fine to be converted to community service. Provides that a defendant shall not be discharged from an order to pay restitution until the full amount has been collected or accounted for. Allows the State or victim to collect restitution payments, including costs, interest, and attorney's fees. Provides that attorney's fees, costs, and interest shall not be part of the penalty in which a person may be imprisoned. Repeals provision relating to the attorney general and the collection of fines, costs,

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interest, and attorney's fees as a civil judgment. -- HB2776 CD1  
COMM\_REPT : HSCR 683-98 (JUD) SSCR 2921 (JDC) SSCR 3008 (WAM) CCR 89  
STATUS : May-05 98 Received by the Governor  
----- -- PENDING FURTHER ACTION  
SECT\_AFFD : 706- (2 SECTIONS), 657-23, 706-605, 706-630, 706-644

MEASURE : HB2778 SD1 CD1 (CCR 54)  
TITLE : MAKING AN EMERGENCY APPROPRIATION FOR LEGAL SERVICES FOR DEPARTMENT OF HAWAIIAN HOME LANDS  
INDIVIDUAL CLAIMS REVIEW.  
INTRO : Souki J (BR) (586-6100)  
DESCRIPT : Appropriation to the department of the attorney general to continue its legal representation of the department of Hawaiian home  
lands. (\$\$) -- HB2778 CD1  
COMM\_REPT : HSCR 478-98 (FIN) SSCR 3188 (WAM) CCR 54  
STATUS : May-05 98 Received by the Governor  
----- -- PENDING FURTHER ACTION

MEASURE : HB2779 SD1 CD1 (CCR 90)  
TITLE : RELATING TO THE UNIFORM INTERSTATE FAMILY SUPPORT ACT.  
INTRO : Souki J (BR) (586-6100)  
DESCRIPT : Amends provision relating to the uniform interstate family support act by repealing references to the date of mailing or personal  
service with respect to a notice that a support or income withholding order has been registered. Provides that service of a  
notice shall be by personal service or certified mail, return receipt requested. Provides that after initial service is effected,  
additional service upon a party shall be satisfied by regular mail to the party's last known address. Further provides that in any  
child support enforcement proceedings subsequent to an order, notice of service of process shall be presumed to be satisfied  
upon delivery of written notice to the most recent residential or employer address on file with the state case registry. -- HB2779  
CD1  
COMM\_REPT : HSCR 60-98 (JUD) SSCR 3223 (JDC) CCR 90  
STATUS : May-05 98 Received by the Governor  
----- -- PENDING FURTHER ACTION  
SECT\_AFFD : 576B-207, 576B-605, 576B-606

MEASURE : HB2780 SD1 (SSCR 2795)  
TITLE : RELATING TO CHILD SUPPORT ENFORCEMENT.  
INTRO : Souki J (BR) (586-6100)  
DESCRIPT : Requires the department of land and natural resources to suspend, refuse to renew, reinstate, or restore or deny any license if  
the department has received certification that a licensee is not in compliance with paternity or child support provisions. --  
Amends payment of public assistance for child constitutes debt to department by natural or adoptive parents provision by  
repealing the provisions which prohibits collection from a parent or other person who is the recipient of public assistance  
moneys. -- Amends child support enforcement provisions. Changes date of notice to date of service of the notice as time  
references for an obligor to act. Repeals the automatic suspension or denial of an obligor's license if the obligor has more  
than 1 license. Allows the State to recoup costs of genetic testing from the father or mother if paternity is established. Allows  
the attorney general to order additional testing if the original test is contested, upon request and advance payment by the  
contestant. Allows the attorney general to enter an order concerning whether a responsible parent's child support obligation  
should be reported to consumer credit reporting agencies. -- HB2780 SD1  
COMM\_REPT : HSCR 228-98 (JUD) SSCR 2795 (ECD) SSCR 3213 (JDC)  
STATUS : Apr-29 98 Received by the Governor  
----- -- PENDING FURTHER ACTION  
SECT\_AFFD : 189-2, 346-37.1, 576D-1, 576D-13, 576D-14, 576E-1, 576E-2, 576E-10, 584-3.5, 634-37

MEASURE : HB2786 HD2 SD2 CD1 (CCR 110)  
TITLE : RELATING TO MENTAL AND MEDICAL EXAMINATION OF CONVICTED DEFENDANTS.  
INTRO : Souki J (BR) (586-6100)  
DESCRIPT : Amends provision relating to DNA testing by changing pre sentence mental and medical examination to mental and medical  
examination; deoxyribonucleic acid collection. Defines conviction, DNA, licensed psychologist, sexual offense, and violent  
offense. Requires that a defendant who has been convicted of a sexual or violent offense or has been charged with a sexual or  
violent offense and has been found unfit to proceed or acquitted shall provide 2 samples of blood for DNA analysis. Provides  
criteria. Provides that blood withdrawn shall be withdrawn only by a person authorized to withdraw blood. Allows the court to  
order a defendant to pay a monetary assessment of 500 dollars or the actual cost of the DNA analysis, whichever is less,  
provided the defendant is or will be able to pay the monetary assessment. Requires all assessments to be paid into the DNA  
registry special fund. Establishes the DNA registry special fund to be administered by the attorney general and consist of all  
assessments, all other moneys received from other sources, interests earned on moneys in the fund. Provides that restitution  
to the victim of a sexual or violent crime shall be made before payment of the monetary assessment. Provides that any person  
required to provide blood samples who negligently or recklessly fails to comply shall be guilty of a misdemeanor and any  
person who intentionally or knowingly fails to provide blood samples under this provision shall be guilty of a class C felony. --  
HB2786 CD1  
COMM\_REPT : HSCR 29-98 (JUD) HSCR 674-98 (FIN) SSCR 2869 (JDC) SSCR 3009 (WAM) CCR 110

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STATUS : May-05 98 Received by the Governor  
----- -- PENDING FURTHER ACTION

SECT\_AFFD : 706-603 (\*)

MEASURE : HB2787 HD1 (HSCR 379-98)  
ACT : 013 1998  
TITLE : RELATING TO THE DEVELOPMENT OF THE KALAELOA COMMUNITY DEVELOPMENT DISTRICT.  
INTRO : Souki J (BR) (586-6100)  
DESCRIPT : Amends provision relating to the Kalaeloa community development district (Barbers Point) and the establishing of district boundaries to exclude those areas retained by the federal government. Act to take effect July 1, 1998. -- HB2787 HD1

COMM\_REPT : HSCR 379-98 (WLU) HSCR 548-98 (FIN) SSCR 2838 (WLH/ TIA/)  
STATUS : Mar-30 98 Received by the Governor  
Apr-07 98 Approved by Governor (Act 13 1998)

EFF\_DATE : July 1, 1998  
SECT\_AFFD : 206G-6 (\*)

MEASURE : HB2788 HD1 (HSCR 589-98)  
ACT : 009 1998  
TITLE : MAKING AN APPROPRIATION FOR THE CLEAN HAWAII CENTER.  
INTRO : Souki J (BR) (586-6100)  
DESCRIPT : Appropriation from the clean Hawaii fund, energy development and management (BED 120) to the clean Hawaii center of the department of business, economic development, and tourism to expand and develop recycling or remanufacturing businesses in Hawaii. (\$\$) -- HB2788 HD1

COMM\_REPT : HSCR 428-98 (EEP) HSCR 589-98 (FIN) SSCR 2865 (ECD/ HEV/) SSCR 2972 (WAM)  
STATUS : Apr-01 98 Received by the Governor  
Apr-07 98 Approved by Governor (Act 9 1998)

EFF\_DATE : April 7, 1998

MEASURE : HB2791 HD1 (HSCR 524-98)  
ACT : 038 1998  
TITLE : RELATING TO THE BUSINESS ACTION CENTER.  
INTRO : Souki J (BR) (586-6100)  
DESCRIPT : Amends provision relating to the business action center by renaming the business permits service center to the business action center. Requires the center to assist in the development of neighbor island operations to deliver similar permit processing services. Amends all functions, powers, and duties to include licenses or license applications. Provides that credit card payments and facsimile or digitized signatures for business permit, license, or registration filing fees be accepted as authorized by the issuing agency. -- HB2791 HD1

COMM\_REPT : HSCR 364-98 (EDB) HSCR 524-98 (FIN) SSCR 2790 (ECD) SSCR 3140 (CPI)  
STATUS : Apr-16 98 Received by the Governor  
Apr-29 98 Approved by Governor (Act 38 1998)

EFF\_DATE : April 29, 1998  
SECT\_AFFD : 201D-1, 201D-2, 201D-3, 201D-4, 201D-5, 201D-6, 201D-7

MEASURE : HB2793 SD1 (SSCR 2786)  
TITLE : RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII.  
INTRO : Souki J (BR) (586-6100)  
DESCRIPT : Amends provision relating to the transfer of real property developed by the housing and community development corporation. Reduces the restriction period in which a purchaser may refinance real property developed and sold from 10 to 3 years. Reduces the restriction period in which a purchaser shall occupy real property purchased from 10 to 3 years. Amends Act 299, session laws of 1997, by repealing the December 31, 2000 repeal date (sunset). -- HB2793 SD1

COMM\_REPT : HSCR 119-98 (HSH) HSCR 570-98 (FIN) SSCR 2786 (GOH) SSCR 2996 (WAM)  
STATUS : May-06 98 Received by the Governor  
----- -- PENDING FURTHER ACTION

SECT\_AFFD : 201G-127, 201G-129, ACT 299 1997

MEASURE : HB2800 SD1 CD1 (CCR 150)  
TITLE : RELATING TO MANAGEMENT OF STATE FUNDS.  
INTRO : Souki J (BR) (586-6100)  
DESCRIPT : Authorizes the director of finance to invest state moneys in commercial paper and bankers' acceptances with an a1 / p1 or equivalent rating by any national securities rating service. Act to take effect July 1, 1998. -- HB2800 CD1

COMM\_REPT : HSCR 196-98 (FIN) SSCR 3278 (WAM) CCR 150  
STATUS : May-13 98 Passed Legislature  
----- -- PENDING FURTHER ACTION

SECT\_AFFD : 36-21 (\*)

MEASURE : HB2801 HD1 SD1 (SSCR 2787)  
 TITLE : RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII.  
 INTRO : Souki J (BR) (586-6100)  
 DESCRIPT : Amends provision relating to the housing and community development corporation to allow at least 10 per cent of the total number of units in single family projects to be 1st offered to owner builders or non profit corporations assisting owner builders in the construction of units, where feasible. Exempts current or future development within the Villages of Kapolei. Act to take effect July 1, 1998. -- HB2801 SD1  
 COMM\_REPT : HSCR 188-98 (HSH) HSCR 571-98 (FIN) SSCR 2787 (GOH) SSCR 3178 (WAM)  
 STATUS : May-06 98 Received by the Governor  
 ----- -- PENDING FURTHER ACTION

MEASURE : HB2802  
 ACT : 014 1998  
 TITLE : MAKING AN EMERGENCY APPROPRIATION FOR THE UNCLAIMED PROPERTY PROGRAM.  
 INTRO : Souki J (BR) (586-6100)  
 DESCRIPT : Appropriation to the department of budget and finance for the payment of judgments and claims under the unclaimed property program. (\$\$) -- HB2802  
 COMM\_REPT : HSCR 480-98 (FIN) SSCR 2971 (WAM)  
 STATUS : Apr-02 98 Received by the Governor  
 Apr-07 98 Approved by Governor (Act 14 1998)  
 EFF\_DATE : April 7, 1998

MEASURE : HB2803 SD2 CD1 (CCR 151)  
 TITLE : RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM.  
 INTRO : Souki J (BR) (586-6100)  
 DESCRIPT : Amends provisions relating to the employees' retirement system. Provides that the actuarial valuations made for years ending June 30, 1996 to June 30, 2000 shall be based on an 8 per cent investment yield rate, a variable salary growth assumption rate, and tables and factors adopted by the board of trustees or the legislature. Provides that the salary growth assumption used in each annual actuarial valuation shall be determined separately for teachers, police officers, firefighters, and corrections officers. Further provides that the salary growth assumption shall be the arithmetic average of compensation increases for the year of calculation and the previous 2 years. -- Amends the public employees retirement system to allow the board of trustees a designee. -- Amends service connected occupational disability to service connected disability and provides that the compensation shall be the amount of the member's accumulated contributions and a retirement allowance which shall consist of 50 per cent of the member's average final compensation. -- Changes the payment to beneficiary of a deceased member who elected to receive a lesser retirement allowance during the member's lifetime. -- Establishes provisions for retirant who returns to service before July 1, 1998, and after June 30, 1998. -- Repeals the pension bonus fund, the minimum pension fund, the county contributions to the minimum pension fund, the allowance on retirement for service connected total disability, and provisions relating to service connected total disability retirement. -- Allows investments to be made in sovereign debt instruments issued by agencies, guaranteed by foreign governments, or in below investment grade or non rated debt instruments, foreign or domestic. Provides that investments in real property interests include title holding corporations recognized under section 501(c)(2) or section 501(c)(23) of the Federal Internal Revenue Code. Allows investment in private placements, including institutional blind pool limited partnerships or direct investments which make private debt and equity investments in privately held companies. -- HB2803 CD1  
 COMM\_REPT : HSCR 269-98 (LAB) HSCR 561-98 (FIN) SSCR 2927 (HRE) SSCR 3271 (WAM) CCR 151  
 STATUS : May-13 98 Passed Legislature  
 ----- -- PENDING FURTHER ACTION

SECT\_AFFD : 88-122, 76-26, 87-6, 88-61, 88-73, 88-79, 88-80, 88-82, 88-83, 88-98, 88-136, 88-251, 88-77, 88-78, 88-89, 88-109, 88-126, 88-115.5, 88-117, 88-118, 88-119, 88-119.5

MEASURE : HB2810 HD1 (HSCR 688-98)  
 ACT : 039 1998  
 TITLE : RELATING TO THE CODE OF FINANCIAL INSTITUTIONS.  
 INTRO : Souki J (BR) (586-6100)  
 DESCRIPT : Amends organization and management of financial institutions provisions to include deposits. Regulates a Hawaii financial institution or financial institution holding company wanting to acquire all or substantially all of the assets or assume any of the liabilities of another company. Allows the merger of depository financial institutions or trust companies. Also allows the merger or consolidation of a nondepository financial services loan company with another corporation. Amends authority of Hawaii state banks to establish interstate branches by merger. -- HB2810 HD1  
 COMM\_REPT : HSCR 688-98 (CPC) SSCR 3247 (CPI)  
 STATUS : Apr-16 98 Received by the Governor  
 Apr-29 98 Approved by Governor (Act 39 1998)  
 EFF\_DATE : April 29, 1998  
 SECT\_AFFD : 412:3-600, 412:3-601, 412:3-609, 412:3-613, 412:12-102

MEASURE : HB2814  
 ACT : 040 1998  
 TITLE : RELATING TO SENIOR PSYCHOLOGISTS.

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INTRO : Souki J (BR) (586-6100)  
 DESCRIPT : Amends licensure requirements for a senior psychologists to provide that in a jurisdiction in which the examination for professional practice in psychology was required and the applicant obtained a score that was equal to or higher than the board's passing score at the time the applicant sat for the exam. -- HB2814  
 COMM\_REPT : HSCR 249-98 (HLT) HSCR 732-98 (CPC) SSCR 3147 (CPI)  
 STATUS : Apr-16 98 Received by the Governor  
 Apr-29 98 Approved by Governor (Act 40 1998)  
 EFF\_DATE : April 29, 1998  
 SECT\_AFFD : 465-7 (\*)

MEASURE : HB2816  
 ACT : 042 1998  
 TITLE : RELATING TO PHARMACIST LICENSURE EXAMINATIONS.  
 INTRO : Souki J (BR) (586-6100)  
 DESCRIPT : Amends licensure requirements for a pharmacist to require the applicant to meet all qualifications set by the board of pharmacists including passing all examinations as prescribed by rules of the board. Allows the board to determine a passing score and to establish a schedule for examinations. -- HB2816  
 COMM\_REPT : HSCR 250-98 (HLT) HSCR 738-98 (CPC) SSCR 3194 (CPI)  
 STATUS : Apr-16 98 Received by the Governor  
 Apr-29 98 Approved by Governor (Act 42 1998)  
 EFF\_DATE : April 29, 1998  
 SECT\_AFFD : 461-6, 461-7

MEASURE : HB2823 HD1 SD1 CD1 (CCR 117)  
 TITLE : RELATING TO MOTOR VEHICLE INSURANCE.  
 INTRO : Souki J (BR) (586-6100)  
 DESCRIPT : Amends motor vehicle insurance provisions. Prohibits general agent, subagent, solicitor, or broker licensed under insurance provisions to be liable in civil damages for simple negligence arising out of the placement or renewal of policyholder applications for the motor vehicle insurance. Does not exempt gross negligence. Establishes binding arbitration provisions. Adds the definition of motor vehicle insurance policy and monthly earnings. Repeals the definition of personal injury protection policy. Amends personal injury protection benefits to qualify physical therapy to be pursuant to prescription by a medical doctor and adds therapeutic massage by a licensed massage therapist when prescribed by a medical doctor. Limits x rays to no more than 5 and no more than 50 dollars each. Specifies chiropractic treatments as defined by the Hawaii state chiropractic association guidelines in effect on January 25, 1997. Adds acupuncture treatments for no more than 30 visits at no more than 75 dollars a visit and that the combined total of chiropractic and acupuncture treatments may not exceed 30 visits. Extends the amnesty period for uninsured motorists to December 31, 1998, and includes motor vehicle insurance. Changes automobile to motor vehicle. -- Provides that the insurance commissioner shall adopt rules to effectuate the insurance code subject to the approval of the governor's office. -- Prohibits the loss of any discounts in insurance premiums for an accident in which the insured was not at fault. Changes independent auditor to contract examiner. Provides that covered loss deductible shall not include benefits paid or incurred under any optional additional coverage. Establishes optional insurance for insurers issuing a commercial motor vehicle insurance policy. Amends wage loss benefits to be offered in multiples of 500 dollars a month and 3,000 dollars per accident per person with a range from 500 dollars a month / 3,000 dollars per accident up to 2,000 dollars a month / 12,000 dollars per accident. Provides that death benefits shall be paid to the surviving spouse or if there are no surviving spouse or dependent children to the estate. Allows an insurer to make available optional coverage for chiropractic treatment. Allows rather than requires an insurer to offer a managed care option. Adds that u drive motor vehicle insurance policy shall be secondary to the operator's or renter's motor vehicle coverage for property damage. Requires providers to produce descriptions of the service provided in conformity with applicable fee schedule codes. Amends tort liability by specifying what is included in the 5,000 dollar threshold. Amends reimbursement of duplicate benefits to include benefits paid by or on behalf of the person. Allows health care provider to assess the cost of preparing a report to the insurer. Prohibits suit to be brought 2 years after the last payment of liability coverage for underinsured motorist claims. Amends coverage for public assistance drivers and includes provisions for licensed handicapped drivers and drivers with auditory limitation. -- Amends motorcycle and motor scooter liability coverages and prohibits any operator or passenger of a motorcycle or motor scooter who receives injuries or dies in a motor vehicle accident to claim personal injury protection benefits under a motor vehicle insurance policy, unless provided in the policy. -- HB2823 CD1  
 COMM\_REPT : HSCR 709-98 (CPC/ JUD/ FIN/) SSCR 3143 (CPI) CCR 117  
 STATUS : May=13 98 Passed Legislature  
 ----- -- PENDING FURTHER ACTION  
 SECT\_AFFD : 431:10C- (1 SECTION), 431:10C- (1 SECTION), 431:10C-103, 431:10C-103.5, 431:10C-103.6, 431:10C-104.5, 431:10C-111.5, 431:10C-117, 431:10C-119, 431:10C-120, 431:2-201, 431:10C-206.5, 431:10C-208, 431:10C-215, 431:10C-301, 431:10C-301.5, 431:10C-302, 431:10C-302.5, 431:10C-303.5, 431:10C-304, 431:10C-306, 431:10C-307, 431:10C-307.8, 431:10C-308.5, 431:10C-315, 431:10C-403, 431:10C-406, 431:10C-407, 431:10C-408, 431:10C-410, 431:10G-301

MEASURE : HB2837 HD1 SD2 CD1 (CCR 73)  
 TITLE : RELATING TO SCHOOL DISCIPLINE.  
 INTRO : Souki J (BR) (586-6100)  
 DESCRIPT : Amends the provision that a child found in possession of a dangerous weapon, switchblade knife, intoxicating liquor, or illicit drugs while attending school may be excluded from attending school for up to 92 school days, as determined by the principal

and approved by the superintendent, deputy superintendent, or the district superintendent with authority over the child by changing the approval needed, to be made by the superintendent or other individuals designated pursuant to rules adopted by the board of education. Provides that if the exclusion is for less than 10 days the department's provisions for dealing with student discipline as provided for in Hawaii administrative rules, title 8, chapter 19, shall be followed. Also adds that the superintendent's designee may provide excluded students with substitute educational and other assistance. Also changes school counselor to appropriate school staff. -- HB2837 CD1

COMM\_REPT : HSCR 116-98 (EDN) HSCR 573-98 (JUD) SSCR 2883 (EDU) SSCR 3277 (JDC) CCR 73

STATUS : May-05 98 Received by the Governor  
----- PENDING FURTHER ACTION

SECT\_AFFD : 302A-1134.5 (\*)

MEASURE : HB2842 HD1 SD1 CD1 (CCR 107)

TITLE : RELATING TO THE DIRECTOR OF HEALTH.

INTRO : Souki J (BR) (586-6100)

DESCRIPT : Amends provision relating to determination of death by allowing rather than requiring the director of health convene a committee to review determination of death. -- Amends litter control provisions by authorizing rather than requiring the director of health to apply for funds or other resources available from private or public sources, conduct educational programs intended to instill the antilitter ethic, design a state antilitter symbol, post antilitter signs in public places, design and make available a litter bag bearing the state antilitter symbol and a statement of the penalties for littering. -- HB2842 CD1

COMM\_REPT : HSCR 255-98 (HLT) HSCR 550-98 (FIN) SSCR 2876 (HEV) SSCR 3180 (WAM) CCR 107

STATUS : May-05 98 Received by the Governor  
----- PENDING FURTHER ACTION

SECT\_AFFD : 327C-1, 339-3

MEASURE : HB2843 HD1 SD2 CD1 (CCR 77)

TITLE : RELATING TO DRUG DEMAND REDUCTION ASSESSMENTS.

INTRO : Souki J (BR) (586-6100)

DESCRIPT : Establishes the criminal offender treatment act. Defines assessment, assessment program, drug or alcohol dependent, repeat offender, substance abuse or additional treatment, substance abuse program or treatment program, test or drug test. Requires an inmate convicted of more than 1 offense under this provision to be required to submit to drug testing administered by the department of public safety or an assessment conducted by a certified substance abuse professional. Provides criteria. Requires drug test results and assessments to be provided as soon as practicable to the inmate or parolee and the department or agency responsible for the inmate or parolee. Provides that the results of an inmate's drug test shall be used to determine whether the department shall order treatment or an assessment, the appropriate conditions of parole or other release, an appropriate sanction for violating a term or condition of a treatment program, and to provide background information about an inmate to any person or agency conducting a prerelease assessment. Establishes conditions of parole or other release from correctional centers or facilities. Requires periodic reports on a person's progress and compliance with the terms and conditions of parole. Allows for appropriate sanctions to be imposed for positive drug tests or violating a treatment program. Requires the agency responsible for monitoring a person's compliance with the terms and conditions of parole or release to impose reasonable fees to cover the cost of drug tests and assessments or, upon a finding of indigence, require the person to pay as much of the fee as is consistent with the person's ability to pay. Requires the department of public safety, in conjunction with the department of health, to report annually to the legislature and governor and to establish an advisory board to discuss the provisions, implementation, and evaluation of criminal offender treatment and make recommendations to the department of health. Provides that the board be comprised of judges, prosecutors, defense attorneys, adult probation officers, parole officials, correctional officials, representatives of assessment and treatment programs, and individuals working in alcohol and drug abuse treatment facilities. Requires that all treatment and assessment programs be accredited by the department of health. Allows the department of public safety, in conjunction with the department of health, to pursue all available funding through federal programs, private sources, and federal matching funds to support assessment and treatment services. Provides an accredited assessment or treatment program or certified substance abuse professional shall be immune from liability in any civil action for damages as a result of providing assessment or treatment services. Amends Act 205, session laws of 1995, by extending the repeal date to June 30, 2001 (sunset). -- HB2843 CD1

COMM\_REPT : HSCR 252-98 (HLT) HSCR 744-98 (JUD) SSCR 2877 (HEV) SSCR 3257 (JDC) CCR 77

STATUS : May-05 98 Received by the Governor  
----- PENDING FURTHER ACTION

SECT\_AFFD : ACT 205 1995, ACT 7 1996, (18 SECTIONS) CRIMINAL OFFENDER TREATMENT ACT

MEASURE : HB2845 HD2 (HSCR 599-98)

ACT : 043 1998

TITLE : RELATING TO EARLY INTERVENTION.

INTRO : Souki J (BR) (586-6100)

DESCRIPT : Amends Act 378, session laws of 1997, which establishes early intervention special fund and early intervention trust fund to expand and enhance early intervention services for infants and toddlers with special needs. Changes the authority for the department of health to make grants from the fund to procure services under the Hawaii public procurement code and the purchases of service contracts of health and human services provisions. Repeals the repeal date of June 30, 1999 (sunset). Act to take effect July 1, 1998. -- HB2845 HD2

COMM\_REPT : HSCR 222-98 (HLT/ HSH/) HSCR 599-98 (FIN) SSCR 2827 (HRE) SSCR 3190 (WAM)

STATUS : Apr-16 98 Received by the Governor  
Apr-29 98 Approved by Governor (Act 43 1998)



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EFF\_DATE : July 1, 1998  
SECT\_AFFD : ACT 378 1997 (\*)

MEASURE : HB2846 HD1 SD1 CD1 (CCR 91)  
TITLE : RELATING TO CIGARETTE SALES TO MINORS.  
INTRO : Souki J (BR) (586-6100)  
DESCRIPT : Amends provision relating to cigarette sale to minors. Increases the fine for the sale of tobacco to a minor to be 500 dollars for the 1st offense, and not less than 500 dollars and not more than 2,000 dollars for any subsequent offense. Act to take effect July 1, 1998. -- HB2846 CD1  
COMM\_REPT : HSCR 458-98 (JUD) SSCR 2804 (JDC) SSCR 3010 (WAM) CCR 91  
STATUS : May-05 98 Received by the Governor  
----- -- PENDING FURTHER ACTION  
SECT\_AFFD : 709-908 (\*)

MEASURE : HB2847 HD2 SD2 CD1 (CCR 74)  
TITLE : RELATING TO SOLID WASTE MANAGEMENT.  
INTRO : Souki J (BR) (586-6100)  
DESCRIPT : Amends provisions relating to solid waste pollution. Changes solid waste disposal system to solid waste management system which includes processing. Establishes additional penalties of 30 days imprisonment for each offense and revocation or suspension of any contractor's license to operate as a contractor or any applicable certificate of authorization from the public utilities commission. -- HB2847 CD1  
COMM\_REPT : HSCR 430-98 (EEP) HSCR 745-98 (JUD) SSCR 2941 (HEV) SSCR 3209 (JDC) CCR 74  
STATUS : May-05 98 Received by the Governor  
----- -- PENDING FURTHER ACTION  
SECT\_AFFD : 342H-1, 342H-30, 342H-31, 342H-32, 342H-35

MEASURE : HB2850 HD1 (HSCR 610-98)  
ACT : 044 1998  
TITLE : RELATING TO SMALL ESTATES.  
INTRO : Souki J (BR) (586-6100)  
DESCRIPT : Amends provision relating to small estates by increasing the amount of the estate value in cases where the clerk of circuit court may act as guardian of the property from less than 8,000 dollars to less than 10,000 dollars. -- Increases the amount of the estate value in cases where a guardian of the property shall be appointed by the circuit court from 13,000 dollars to 16,250 dollars. Provides that the court may allow the court clerk to continue to act even though the total assets exceed 16,250 dollars. -- HB2850 HD1  
COMM\_REPT : HSCR 610-98 (JUD) SSCR 3229 (JDC)  
STATUS : Apr-16 98 Received by the Governor  
Apr-29 98 Approved by Governor (Act 44 1998)  
EFF\_DATE : April 29, 1998  
SECT\_AFFD : 551-21 (\*)

MEASURE : HB2851  
ACT : 020 1998  
TITLE : RELATING TO GRANDPARENTS' VISITATION RIGHTS.  
INTRO : Souki J (BR) (586-6100)  
DESCRIPT : Amends provision relating to visitation rights. Removes the requirement that 1 or both of a child's parents are deceased, or the child's parents are divorced or residing separate or apart, for reasonable visitation rights to be awarded to a grandparent or grandparents of a minor child. -- HB2851  
COMM\_REPT : HSCR 611-98 (JUD) SSCR 2981 (JDC)  
STATUS : Apr-03 98 Received by the Governor  
Apr-15 98 Approved by Governor (Act 20 1998)  
EFF\_DATE : April 15, 1998  
SECT\_AFFD : 571-46.3 (\*)

MEASURE : HB2852 HD2 SD2 CD1 (CCR 78)  
TITLE : RELATING TO TELEHEALTH.  
INTRO : Souki J (BR) (586-6100)  
DESCRIPT : Prohibits accident and sickness insurance plans, mutual benefit societies plan, and health maintenance organization plan (HMO) to require face to face contact between a health care provider and a patient as a prerequisite for payment for services appropriately provided through telehealth in accordance with generally accepted health care practices and standards prevailing in the applicable professional community at the time the services were provided. Provides that telehealth means the use of telecommunications and enhanced services to deliver health and health care services and information to parties separated by distance. Adds that telephone, facsimile transmissions, or both in the absence of other integrated information and data do not constitute telehealth services. Act to take effect July 1, 1998. -- HB2852 CD1  
COMM\_REPT : HSCR 256-98 (HLT) HSCR 761-98 (CPC) SSCR 2894 (HEV/ CPI/) SSCR 3175 (WAM) CCR 78

CONCORD/9798 RE: PASSED LEGISLATURE 1998

STATUS : May-05 98 Received by the Governor  
----- -- PENDING FURTHER ACTION

SECT\_AFFD : 431:10A- (1 SECTION), 432:1- (1 SECTION), 432D- (1 SECTION)

MEASURE : HB2854 HD1 (HSCR 491-98)  
ACT : 007 1998  
TITLE : MAKING AN EMERGENCY APPROPRIATION FOR THE CHILD AND ADOLESCENT MENTAL HEALTH DIVISION.  
INTRO : Souki J (BR) (586-6100)  
DESCRIPT : Appropriation to the department of health for services provided to certain emotionally disturbed children and adolescents. (\$\$)  
-- HB2854 HD1

COMM\_REPT : HSCR 162-98 (HLT) HSCR 491-98 (FIN) SSCR 2844 (HEV) SSCR 2973 (WAM)  
STATUS : Apr-01 98 Received by the Governor  
Apr-07 98 Approved by Governor (Act 7 1998)  
EFF\_DATE : April 7, 1998

MEASURE : HB2855 HD1 SD1 (SSCR 2895)  
TITLE : RELATING TO NURSE MIDWIVES.  
INTRO : Souki J (BR) (586-6100)  
DESCRIPT : Provides that the state board of nursing shall grant recognition as an advanced practice registered nurse to certified nurse midwife that has a current certification from a national certifying body recognized by the board. Repeals midwives under the department of health. -- HB2855 SD1

COMM\_REPT : HSCR 163-98 (HLT) HSCR 675-98 (CPC) SSCR 2895 (HEV) SSCR 3148 (CPI)  
STATUS : May-06 98 Received by the Governor  
----- -- PENDING FURTHER ACTION

SECT\_AFFD : 457-8.5, 321-391, 321-392, 321-393, 321-394, 321-395, 321-396, 321-397, 321-398

MEASURE : HB2857  
ACT : 045 1998  
TITLE : RELATING TO THE CHRONIC RENAL DISEASE PROGRAM.  
INTRO : Souki J (BR) (586-6100)  
DESCRIPT : Repeals chronic renal disease program under the department of health. -- HB2857

COMM\_REPT : HSCR 263-98 (HLT) HSCR 551-98 (FIN) SSCR 2879 (HEV) SSCR 3161 (WAM)  
STATUS : Apr-16 98 Received by the Governor  
Apr-29 98 Approved by Governor (Act 45 1998)  
EFF\_DATE : April 29, 1998  
SECT\_AFFD : 321-121, 321-122, 321-123

MEASURE : HB2858 HD2 SD2 (SSCR 2979)  
TITLE : MAKING AN EMERGENCY APPROPRIATION FOR EMERGENCY MEDICAL SERVICES.  
INTRO : Souki J (BR) (586-6100)  
DESCRIPT : Appropriation to the department of health to maintain the current level of emergency ambulance services on the islands of Maui, Lanai, and Molokai. (\$\$) -- HB2858 SD2

COMM\_REPT : HSCR 221-98 (HLT) HSCR 492-98 (FIN) SSCR 2845 (HEV) SSCR 2979 (WAM)  
STATUS : Apr-29 98 Received by the Governor  
----- -- PENDING FURTHER ACTION

MEASURE : HB2859 HD1 (HSCR 266-98)  
ACT : 006 1998  
TITLE : MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF HEALTH ADULT MENTAL HEALTH DIVISION.  
INTRO : Souki J (BR) (586-6100)  
DESCRIPT : Appropriation out of the mental health and substance abuse special fund of the department of health to be used for community based services for adults with serious mental illnesses. (\$\$) -- HB2859 HD1

COMM\_REPT : HSCR 266-98 (HLT) HSCR 540-98 (FIN) SSCR 2846 (HEV) SSCR 2974 (WAM)  
STATUS : Apr-01 98 Received by the Governor  
Apr-07 98 Approved by Governor (Act 6 1998)  
EFF\_DATE : April 7, 1998

MEASURE : HB2862 HD2 SD2 CD1 (CCR 108)  
TITLE : RELATING TO SERVICES FOR DEVELOPMENTAL DISABILITIES.  
INTRO : Souki J (BR) (586-6100)  
DESCRIPT : Amends provisions relating to services for persons with developmental disabilities or mental retardation by amending the definition of individualized service plan. Requires the department of health to provide available supports and services based on client centered planning, which resulted from client choices and decision making to allowed and respected client self determination. Changes the date of when all programs and services shall be provided in the community from June 30, 1998 to June 30, 1999. Requires the department to assist the individual to develop an individualized service plan, identify the amount of dollars available to the individual to effectuate the individualized service plan, and allow consumers to direct the expenditure of the identified funds. Includes developing a plan that identifies the supports needed to accomplish the plan rather than purchasing a program, controlling an identified amount of dollars to accomplish the plan, directing the provision of resources

that will assist an individual with a disability to live a life in the community rich in community association and contribution, and achieving a valued role in the community through employment, participation in community activities, and volunteering. Amends Act 189, session laws of 1995 by changing the effective date of when certain sections shall take effect from June 30, 1998 to June 30, 1999. Act to take effect June 29, 1998. -- HB2862 CD1

COMM\_REPT : HSCR 339-98 (HLT) HSCR 749-98 (FIN) SSCR 2944 (HEV) SSCR 3176 (WAM) CCR 108

STATUS : May-05 98 Received by the Governor

----- -- PENDING FURTHER ACTION

SECT\_AFFD : 333F-1, 333F-2, 333F-7, 333F-8, ACT 189 1995

MEASURE : HB2866 SD1 (SSCR 3238)

TITLE : RELATING TO EMPLOYMENT ON PUBLIC WORKS PROJECTS.

INTRO : Souki J (BR) (586-6100)

DESCRIPT : Amends wages and hours of employees on public works provisions by requiring any discrepancy found by the contracting agency to be reported to the general contractor and the director of labor and industrial relations. Requires a contractor to make payroll records available for examination within 10 days from the date of a written request. Establishes penalties. Allows the department to interview employees during working hours on the job site. Establishes interference or delay categories and penalties. -- HB2866 SD1

COMM\_REPT : HSCR 270-98 (LAB) HSCR 735-98 (JUD) SSCR 3238 (HRE)

STATUS : May-06 98 Received by the Governor

----- -- PENDING FURTHER ACTION

SECT\_AFFD : 104-3, 104-22

MEASURE : HB2867

ACT : 046 1998

TITLE : RELATING TO EMPLOYMENT ON PUBLIC WORKS PROJECTS.

INTRO : Souki J (BR) (586-6100)

DESCRIPT : Amends provision relating to public works. Authorizes a hearings officer appointed by the director of labor and industrial relations to render decisions on notices of appeal within 60 days after the conclusion of an appeals hearing. Further authorizes the hearings officer to extend the due date for decision for good cause. -- HB2867

COMM\_REPT : HSCR 271-98 (LAB) HSCR 742-98 (JUD) SSCR 3239 (HRE)

STATUS : Apr-16 98 Received by the Governor

Apr-29 98 Approved by Governor (Act 46 1998)

EFF\_DATE : April 29, 1998

SECT\_AFFD : 104-23 (\*)

MEASURE : HB2870 SD2 CD1 (CCR 115)

TITLE : RELATING TO WORKERS' COMPENSATION.

INTRO : Souki J (BR) (586-6100)

DESCRIPT : Amends workers' compensation law by repealing the provision that if the employment in which the employee sustained the injury is a part time employment, the employer's liability shall be limited to the benefits as would be payable to an employee in a comparable employment, engaged as a full time employee on an annual basis in the type of employment in which the injury occurred. -- HB2870 CD1

COMM\_REPT : HSCR 382-98 (LAB/ CPC/) HSCR 545-98 (FIN) SSCR 2955 (HRE) SSCR 3204 (WAM) CCR 115

STATUS : May-05 98 Received by the Governor

----- -- PENDING FURTHER ACTION

SECT\_AFFD : 386-51.5 (\*)

MEASURE : HB2872 HD1 SD1 CD1 (CCR 92)

TITLE : RELATING TO FIRE PROTECTION INSPECTIONS.

INTRO : Souki J (BR) (586-6100)

DESCRIPT : Amends the fire protection laws to require fire inspections to be made at least once each year at all public schools and every 2 years or as often as deemed practicable or necessary by the county fire chief, at all other facilities. Requires the State to conduct fire and safety inspections at all State owned airport facilities at least once a year. -- HB2872 CD1

COMM\_REPT : HSCR 158-98 (JUD) HSCR 568-98 (FIN) SSCR 2964 (TIA) CCR 92

STATUS : May-05 98 Received by the Governor

----- -- PENDING FURTHER ACTION

SECT\_AFFD : 132-6 (\*)

MEASURE : HB2878 HD1 SD1 CD1 (CCR 66)

TITLE : RELATING TO AQUATIC RESOURCES.

INTRO : Souki J (BR) (586-6100)

DESCRIPT : Amends provision relating to fishing rights and regulations. Allows the department of land and natural resources to adopt, add, delete, and make revisions to rules relating to fishing with firearms, spears, bullpen traps, nets and traps, prohibition on disposal of fishing gear, possession and sale of fine meshed throw nets, fishing with gill nets and drift gill nets, minimum sizes of fish, dried nehu and iao, mullet catching, nehu and iao taking, opelu fishing, certain crustaceans, and crustaceans with eggs. Provides that no adopted rule shall increase or decrease the penalty provided for a violation. Report to the legislature. Provides that the affected sections shall be temporary until enacted by the legislature and that any temporary rule not enacted shall be nullified. Provides criteria. -- Amends provision relating to bullpen traps by repealing the use of the traps within the area 500

yards from the shoreline of Molokai west of Kaunakakai wharf and 200 yards from the shoreline east of Kaunakakai wharf. Repeals the use of nets made with stretched mesh of less than 2 inches by all persons including pond owners or operators, commercial marine licensees, and aquarium fish collectors. Repeals the use of traps of smaller mesh to take shrimp and opae and for the entrance cone. -- Authorizes the department to issue licenses for catching mullet, nehu, iao, and other baitfish, to sell or serve Kona crabs and lobsters during closed seasons, and permits for taking coral and rock with marine life attached. Provides criteria. Repeals provision that prohibits the sale of stony coral as souvenirs. -- HB2878 CD1

COMM\_REPT : HSCR 214-98 (OMR) HSCR 741-98 (JUD) SSCR 3134 (ECD) CCR 66

STATUS : May-05 98 Received by the Governor  
----- -- PENDING FURTHER ACTION

SECT\_AFFD : 187A-5, 188-28.5, 188-29, 188-44, 188-45, 188-57, 188-68

MEASURE : HB2883 HD2 (HSCR 671-98)

ACT : 047 1998

TITLE : RELATING TO KAWAINUI MARSH.

INTRO : Souki J (BR) (586-6100)

DESCRIPT : Amends Act 314, session laws of 1990, relating to the Kawainui Marsh by adding the boundary area makai of the toe of the Coconut Grove side of the flood control levee beginning at the Oneawa Canal. -- HB2883 HD2

COMM\_REPT : HSCR 380-98 (WLU) HSCR 671-98 (JUD) SSCR 2863 (WLH/ TIA/) SSCR 3159 (WAM)

STATUS : Apr-16 98 Received by the Governor  
Apr-29 98 Approved by Governor (Act 47 1998)

EFF\_DATE : April 29, 1998

SECT\_AFFD : ACT 314 1990 (\*)

MEASURE : HB2888 HD2 SD1 (SSCR 2793)

TITLE : MAKING AN APPROPRIATION FOR COMPENSATION OF CRIMINAL INJURIES.

INTRO : Souki J (BR) (586-6100)

DESCRIPT : Appropriation to the department of public safety for deposit into the criminal injuries compensation fund for compensating certain persons or their providers of services pursuant to criminal injuries compensation law. (\$\$) -- HB2888 SD1

COMM\_REPT : HSCR 292-98 (JUD) HSCR 657-98 (FIN) SSCR 2793 (JDC) SSCR 3184 (WAM)

STATUS : May-14 98 Passed Legislature  
----- -- PENDING FURTHER ACTION

MEASURE : HB2892 HD1 SD1 (SSCR 2907)

TITLE : RELATING TO SPECIAL FACILITY REVENUE BONDS FOR AIRPORTS.

INTRO : Souki J (BR) (586-6100)

DESCRIPT : Increases the limit of the special facility revenue bonds which may be issued by the department of transportation to 2 million dollars. Allows the department, with the approval of the governor to issue refunding special facility revenue bonds to cover payment of outstanding special facility revenue bonds. Requires special facility leases to contain provisions obligating the other person to insure the special facility under builder's risk insurance, to get comprehensive insurance protecting against the department and employees against damages for personal injury or death or damage to property, to provide risk casualty insurance, and to provide insurance for workers' compensation, employer's liability and aircraft liability for personal injury or death or damages to property. Also to indemnify and save and hold the department and employees harmless from and against all claims and actions and all costs to the investigation and defense on behalf of any person, firm or corporation. -- HB2892 SD1

COMM\_REPT : HSCR 486-98 (FIN) SSCR 2907 (TIA) SSCR 3185 (WAM)

STATUS : May-14 98 Passed Legislature  
----- -- PENDING FURTHER ACTION

SECT\_AFFD : 261-52, 261-54, 261-55

MEASURE : HB2895

ACT : 029 1998

TITLE : RELATING TO RIDING BICYCLES ON ROADWAYS.

INTRO : Souki J (BR) (586-6100)

DESCRIPT : Allows a person operating a bicycle to ride on the shoulder of the roadway. -- HB2895

COMM\_REPT : HSCR 194-98 (TRN) SSCR 2990 (TIA)

STATUS : Apr-13 98 Received by the Governor  
Apr-23 98 Approved by Governor (Act 29 1998)

EFF\_DATE : April 23, 1998

SECT\_AFFD : 291C-145 (\*)

MEASURE : HB2899

ACT : 048 1998

TITLE : RELATING TO DONATIONS TO GOVERNMENT AGENCIES.

INTRO : Souki J (BR) (586-6100)

DESCRIPT : Amends provision relating to public agency meetings and records. Authorizes a board to hold a meeting closed to the public to consider matters relating to the solicitation and acceptance of private donations. -- HB2899

COMM\_REPT : HSCR 159-98 (HED) HSCR 572-98 (JUD) SSCR 2808 (EDU) SSCR 3142 (CPI)

CONCORD/9798 RE: PASSED LEGISLATURE 1998

STATUS : Apr-16 98 Received by the Governor  
 Apr-29 98 Approved by Governor (Act 48 1998)  
 EFF\_DATE : April 29, 1998  
 SECT\_AFFD : 92-5 (\*)

MEASURE : HB2901 HD1 (HSCR 493-98)  
 ACT : 016 1998  
 TITLE : MAKING EMERGENCY APPROPRIATIONS FOR THE UNIVERSITY OF HAWAII.  
 INTRO : Souki J (BR) (586-6100)  
 DESCRIPT : Appropriation out of the university of Hawaii workers' compensation revolving fund and the workers' compensation special fund for UOH 900, systemwide support, workers' compensation costs of university of Hawaii state employees. (\$\$) -- HB2901 HD1  
 COMM\_REPT : HSCR 87-98 (HED) HSCR 493-98 (FIN) SSCR 2815 (HRE) SSCR 2975 (WAM)  
 STATUS : Apr-01 98 Received by the Governor  
 Apr-13 98 Approved by Governor (Act 16 1998)  
 EFF\_DATE : April 13, 1998

MEASURE : HB2909 HD2 SD1 CD1 (CCR 166)  
 TITLE : MAKING AN APPROPRIATION FOR AGRICULTURAL RESEARCH AND DEVELOPMENT.  
 INTRO : Okamura T (586-6340)  
 DESCRIPT : Appropriation to the department of agriculture for agricultural research and development to be performed by the Hawaii agriculture research center. Requires matching funds. Act to take effect July 1, 1998. (\$\$) -- HB2909 CD1  
 COMM\_REPT : HSCR 180-98 (AGR) HSCR 593-98 (FIN) SSCR 2840 (ECD) SSCR 3199 (WAM) CCR 166  
 STATUS : May-13 98 Passed Legislature  
 ----- -- PENDING FURTHER ACTION

MEASURE : HB2932 SD1 CD1 (CCR 93)  
 TITLE : RELATING TO NUISANCE ABATEMENT.  
 INTRO : Souki J (BR) (586-6100)  
 DESCRIPT : Allows injunctions against persons causing a nuisance, from entering or residing in any public or private building, premises, or place upon which the nuisance exists. Amends provision relating to suits to abate and prevent a nuisance. Prohibits any action which seeks to abate and prevent a nuisance to be filed against the State or any political subdivision. Provides that a suit when brought shall have precedence over all cases except criminal proceedings, election contests, and hearings on injunctions, and in the suit evidence of the general reputation of the building, premises, place, or persons shall be admissible to prove the nuisance exists. -- HB2932 CD1  
 COMM\_REPT : HSCR 613-98 (JUD) SSCR 3224 (JDC) CCR 93  
 STATUS : May-05 98 Received by the Governor  
 ----- -- PENDING FURTHER ACTION  
 SECT\_AFFD : 712-1271, 712-1273, 712- (1 SECTION)

MEASURE : HB2935 SD1 (SSCR 3225)  
 TITLE : RELATING TO SENTENCING.  
 INTRO : Souki J (BR) (586-6100)  
 DESCRIPT : Changes the penalty for false certificates of inspection (safety check) from 1 year to 30 days of imprisonment. Changes the penalty for reckless driving or riding of animals from 1 year to 30 days of imprisonment. Changes the penalty for consuming or possessing intoxicating liquor while operating a motor vehicle or moped to a fine of up to 2,000 dollars or imprisonment up to 30 days. Changes the penalty for inattention to driving from 6 months to 30 days of imprisonment. -- HB2935 SD1  
 COMM\_REPT : HSCR 682-98 (JUD) SSCR 3225 (JDC)  
 STATUS : May-01 98 Received by the Governor  
 ----- -- PENDING FURTHER ACTION  
 SECT\_AFFD : 286-30, 291-2, 291-3.1, 291-12

MEASURE : HB2942  
 ACT : 049 1998  
 TITLE : RELATING TO OFFENSES AGAINST PROPERTY RIGHTS.  
 INTRO : Souki J (BR) (586-6100)  
 DESCRIPT : Amends provision relating to offenses against property rights by changing, the value of the property damaged in thefts, to the value of the property taken in thefts, when determining the class or grade of an offense. -- HB2942  
 COMM\_REPT : HSCR 702-98 (JUD) SSCR 3230 (JDC)  
 STATUS : Apr-16 98 Received by the Governor  
 Apr-29 98 Approved by Governor (Act 49 1998)  
 EFF\_DATE : April 29, 1998  
 SECT\_AFFD : 708-801 (\*)

MEASURE : HB2957 HD2 SD1 (SSCR 2993)  
 TITLE : RELATING TO HUNTING LICENSES.  
 INTRO : Nakasone B (586-6210)  
 DESCRIPT : Changes the amount charged by the department of land and natural resources to replace lost or destroyed hunting licenses to 50 per cent of the current cost of a resident license. -- HB2957 SD1

CONCORD/9798 RE: PASSED LEGISLATURE 1998

COMM\_REPT : HSCR 260-98 (WLU) HSCR 597-98 (FIN) SSCR 2841 (ECD) SSCR 2993 (WAM)

STATUS : May-01 98 Received by the Governor  
----- PENDING FURTHER ACTION

SECT\_AFFD : 183D-24 (\*)

MEASURE : HB2967 HD1 SD1 (SSCR 2817)

TITLE : RELATING TO SURFING.

INTRO : Kawakami B (586-6280)

DESCRIPT : Establishes and designates surfing as the official individual sport of Hawaii. -- HB2967 SD1

COMM\_REPT : HSCR 532-98 (JUD) SSCR 2817 (ECD)

STATUS : May-01 98 Received by the Governor  
----- PENDING FURTHER ACTION

SECT\_AFFD : 5- (1 SECTION) (\*)

MEASURE : HB2985 HD1 SD1 CD1 (CCR 57)

TITLE : RELATING TO IRRIGATION AND WATER UTILIZATION PROJECTS.

INTRO : Souki J (BR) (586-6100)

DESCRIPT : Authorizes the board of agriculture to contract services with the private sector for operation or maintenance of project facilities if civil service staff is inadequate to service these projects or project facilities. Allows the board to utilize moneys in the irrigation system account to contract for operation or maintenance of project facilities. -- HB2985 CD1

COMM\_REPT : HSCR 182-98 (AGR) HSCR 497-98 (FIN) SSCR 2934 (ECD/ HRE/) SSCR 3164 (WAM) CCR 57

STATUS : May-05 98 Received by the Governor  
----- PENDING FURTHER ACTION

SECT\_AFFD : 168-2, 168-5

MEASURE : HB2990 HD2 SD2 CD1 (CCR 138)

TITLE : RELATING TO AGRICULTURE.

INTRO : Souki J (BR) (586-6100)

DESCRIPT : Establishes the Waiahole water system revolving fund administered by the agribusiness development corporation to acquire, plan, design, improve, construct, equip, furnish, administer, operate, and maintain the Waiahole water system and any other purpose deemed necessary by the corporation for the purpose of acquiring and operating the system. Provides that the purchase of the Waiahole irrigation system shall be exempt from environmental impact statement requirements. Amends provision to provide that the reorganization of the corporation as a nonprofit, the organization of a subsidiary corporation, and the sale or surrender of any subsidiary corporation shall not adversely affect the federal tax status of interests on any bonds issued to finance a project or project facility. Authorizes the issuance of reimbursable general obligation bonds to finance the acquisition of and improvements to the Waiahole water system. Appropriation to the agribusiness development corporation. -- Requires the agribusiness development corporation to work toward obtaining commitments from landowners in the leeward and central districts of Oahu that their agricultural leases shall be for a duration of 20 or more years, and shall not be amended or revoked in order to allow for a non agricultural use of such land. Also for the corporation to monitor agricultural leases of lands utilizing the water from the system. (\$\$) -- HB2990 CD1

COMM\_REPT : HSCR 402-98 (AGR) HSCR 782-98 (FIN) SSCR 2898 (ECD/ WLH/) SSCR 3288 (WAM) CCR 138

STATUS : May-13 98 Passed Legislature  
----- PENDING FURTHER ACTION

SECT\_AFFD : 163D- (1 SECTION), 343- (1 SECTION), 163D-3, 163D-6, 163D-8, 163D-17

MEASURE : HB2992 HD2 SD1 CD1 (CCR 94)

TITLE : RELATING TO NOTARIES PUBLIC.

INTRO : Souki J (BR) (586-6100)

DESCRIPT : Establishes notary public revolving fund for the deposit of fees and fines to be used for personnel costs, acquisition of equipment, and operating and administrative costs. Fund to be administered by the department of the attorney general. Authorizes the attorney general to revoke or otherwise discipline the commission of the notary public after due hearing where the notary is no longer necessary for the public good and convenience. Requires each notary to be responsible for timely renewing the notary public's commission and satisfying the renewal requirements. Failure to timely renew a commission may cause the commission to be forfeited. Includes the typed or printed name of the notary in authenticating all the notary's official acts, attestations, certificates, and instruments. Repeals regulation from official bond and rules provisions. Increases the commission fees and allows the attorney general to adjust the fees. Requires the court fees for filing a copy of a commission and for each certificate of authentication to be specified by the supreme court of the state. Provides that the fees from the notary public's service be deposited into the general fund should the notaries public revolving fund be terminated. Act to take effect July 1, 1998. -- HB2992 CD1

COMM\_REPT : HSCR 293-98 (JUD) HSCR 504-98 (FIN) SSCR 2870 (JDC) SSCR 3160 (WAM) CCR 94

STATUS : May-05 98 Received by the Governor  
----- PENDING FURTHER ACTION

SECT\_AFFD : 456- (1 SECTION), 456-1, 456-3, 456-5, 456-8, 456-9, 456-18

MEASURE : HB2997 HD2 (HSCR 494-98)

ACT : 015 1998

TITLE : MAKING AN APPROPRIATION FOR TOURISM MARKETING.

CONCORD/9798 RE: PASSED LEGISLATURE 1998

INTRO : Souki J (BR) (586-6100)

DESCRIPT : Appropriation to the department of business, economic development, and tourism to host the 1998 Miss Universe Pageant. Moneys expended through a contract with the Hawaii visitors and convention bureau including expenditures for personnel costs. Bureau to report to the legislature. (\$\$) -- HB2997 HD2

COMM\_REPT : HSCR 107-98 (TSM) HSCR 494-98 (FIN) SSCR 2796 (ECD) SSCR 2976 (WAM)

STATUS : Apr-01 98 Received by the Governor  
Apr-08 98 Approved by Governor (Act 15 1998)

EFF\_DATE : April 8, 1998

MEASURE : HB2998 HD2 SD2 CD1 (CCR 100)

TITLE : RELATING TO THE HAWAII MARITIME AUTHORITY

INTRO : Souki J (BR) (586-6100)

DESCRIPT : Establishes a temporary maritime authority commission within the department of transportation to examine the complexities involved, to plan the details of the creation of the Hawaii maritime authority, and to make recommendations to the legislature. Requires the commission to consist of 15 members to include the director of transportation or a designee, the director of business, economic development, and tourism or a designee, the director of finance or a designee, the chairperson of the board of land and natural resources or a designee, the chief executive officer of the aloha tower development corporation, the chief executive officer of the Hawaii community development authority, the chairperson of the office of Hawaiian affairs or a designee, 1 member representing the general public appointed by the governor from each county, 2 members representing the private maritime industry appointed by the governor, and 2 members representing labor appointed by the governor. Requires that the director of transportation or designee to act as chairperson of the commission. Requires the department of transportation to provide all necessary support services to facilitate the work of the commission. Requires the commission to report to the legislature no later than December 20, 1998, and be repealed upon the adjournment, sine die, of the regular session of 1999 (sunset). -- HB2998 CD1

COMM\_REPT : HSCR 308-98 (TRN/ WLU/ OMR/) HSCR 663-98 (FIN) SSCR 2908 (TIA/ WLH/ ECD/) SSCR 3267 (WAM) CCR 100

STATUS : May-05 98 Received by the Governor  
----- -- PENDING FURTHER ACTION

MEASURE : HB3004 HD2 (HSCR 585-98)

ACT : 041 1998

TITLE : RELATING TO THE MANAGEMENT OF FINANCING AGREEMENTS.

INTRO : Souki J (BR) (586-6100)

DESCRIPT : Amends provisions relating to the management of financing agreements. Requires the university of Hawaii to advise the governor and the director of finance of the amount necessary for payments for financing agreements before appropriations become available to the university. Requires the department of education to include in its annual allotment and expenditure plan a description of all of its existing financing agreements that require funding, together with a statement of the amount of funding required, and all proposed financing agreements of the department for the ensuing fiscal year. Prohibits the department from retaining up to 5 per cent of appropriations used to fund financing agreements. -- Authorizes agencies to enter into agreements with trustees, within or without the state, to hold financing agreement proceeds, payments, and reserves. Provides criteria. Authorizes agencies to purchase liability, title, or rental interruption insurance for property that is acquired or refinanced with proceeds of a financing agreement. Further authorizes agencies to lease or sell property in connection with any financing agreement by which an agency leases or purchases property from another party. -- Requires the governor's budget request to the legislature to include any expenses and replenishment of any reserve funds up to the balances required by respective financing agreements. -- Provides that all real and personal property owned or operated by an agency, and any interests created in or transfer or recording of the property or any interest in the property, shall be exempt from fees and charges of every kind. -- HB3004 HD2

COMM\_REPT : HSCR 225-98 (FIN) HSCR 585-98 (FIN) SSCR 2809 (EDU) SSCR 2995 (WAM)

STATUS : Apr-13 98 Received by the Governor  
Apr-29 98 Approved by Governor (Act 41 1998)

EFF\_DATE : April 29, 1998

SECT\_AFFD : 37-34, 37-34.5, 37-41.5, 37-74, 37D-2, 37D-3, 37D-4, 37D-8

MEASURE : HB3010 SD2 CD1 (CCR 95)

TITLE : RELATING TO CONCURRENT JURISDICTION.

INTRO : Souki J (BR) (586-6100)

DESCRIPT : Establishes provision relating to public administration by providing for the cession of concurrent legislative jurisdiction by the State of Hawaii to the US over the lands and improvements owned, leased, occupied, or controlled by or for the US Department of Justice or any of its component agencies or bureaus, for correctional purposes. Provides that cession of jurisdiction shall only take effect upon the acceptance of such jurisdiction by the US. Act to take effect July 1, 1998. -- HB3010 CD1

COMM\_REPT : HSCR 579-98 (JUD) SSCR 2970 (JDC) SSCR 3261 (JDC) CCR 95

STATUS : May-05 98 Received by the Governor  
----- -- PENDING FURTHER ACTION

SECT\_AFFD : 1- (1 SECTION) (\*)

CONCORD/9798 RE: PASSED LEGISLATURE 1998

MEASURE : HB3020 HD1 (HSCR 594-98)  
 ACT : 027 1998  
 TITLE : RELATING TO THE HAWAIIAN HOMES COMMISSION ACT OF 1920, AS AMENDED.  
 INTRO : Souki J (BR) (586-6100)  
 DESCRIPT : Amends the Hawaiian homes commission act of 1920. Changes the Hawaiian home operating fund, Hawaiian home receipts fund, Hawaiian home trust fund, and the native Hawaiian rehabilitation fund from special funds to trust funds. Provides that 1 special fund shall be known as the Hawaiian homes administration account. Establishes conditions for the native Hawaiian rehabilitation fund. Act to take effect July 1, 1998. -- HB3020 HD1  
 COMM\_REPT : HSCR 334-98 (HAW) HSCR 594-98 (FIN) SSCR 2864 (WLH) SSCR 3011 (WAM)  
 STATUS : Apr-13 98 Received by the Governor  
 Apr-23 98 Approved by Governor (Act 27 1998)  
 EFF\_DATE : July 1, 1998  
 SECT\_AFFD : HAWAIIAN HOMES COMMISSION ACT 1920 213 (\*)

MEASURE : HB3021 HD1 SD1 (SSCR 2847)  
 TITLE : MAKING AN EMERGENCY APPROPRIATION FOR THE HAWAII HEALTH SYSTEMS CORPORATION.  
 INTRO : Souki J (BR) (586-6100)  
 DESCRIPT : Appropriation for the Hawaii health systems corporation to prevent the reduction or discontinuance of services provided by the community hospitals. (\$\$) -- HB3021 SD1  
 COMM\_REPT : HSCR 73-98 (HLT) HSCR 774-98 (FIN) SSCR 2847 (HEV) SSCR 2977 (WAM)  
 STATUS : Apr-29 98 Received by the Governor  
 ----- PENDING FURTHER ACTION

MEASURE : HB3022 HD2 SD1 CD1 (CCR 64)  
 TITLE : RELATING TO YOUTH FACILITY.  
 INTRO : Souki J (BR) (586-6100)  
 DESCRIPT : Amends Act 151, session laws of 1991, as amended by Act 61, session laws of 1993, and Act 112, session laws of 1995, exempting the office of youth services from state and county requirements for the renovation or expansion of a minimum new facility on its property in Kailua, Oahu, by repealing the department of public safety and extending the exemptions to complete construction and renovation of other necessary structures at the Hawaii youth correctional facility. Prohibits the piggery / barn area to be renovated for no other purposes other than the existing purpose. Provides that any water tank to be constructed at the base of Mount Olomana shall not be exempt from state or county approvals, permits, or licenses including an environmental impact statement. Annual report to the legislature. Extends initiation date to July 1, 1999 (sunset). Act to take effect June 30, 1998. -- HB3022 CD1  
 COMM\_REPT : HSCR 423-98 (PSM) HSCR 520-98 (FIN) SSCR 2828 (HRE) SSCR 3004 (WAM) CCR 64  
 STATUS : May-05 98 Received by the Governor  
 ----- PENDING FURTHER ACTION  
 SECT\_AFFD : ACT 151 1991, ACT 61 1993, ACT 112 1995

MEASURE : HB3024 SD1 CD1 (CCR 104)  
 TITLE : RELATING TO PUBLIC ASSISTANCE.  
 INTRO : Souki J (BR) (586-6100)  
 DESCRIPT : Establishes the financial assistance advisory council within the department of human services. Council to consist of 15 members to be appointed by the director. Requires the council to render advice and information to the department on matters relating to financial assistance programs including the determination of the amount of benefit payments, including but not limited to, temporary assistance to needy families (TANF), temporary assistance to other needy families (TANOF), and general assistance to households without minors. -- Amends the definition of substantial gainful employment by changing the hours of work per week from 20 to 30. Repeals the general assistance advisory council. Amends Act 300, session laws of 1996, as amended by Act 200, session laws of 1997, by repealing the sunset dates. Act to take effect June 29, 1998. -- HB3024 CD1  
 COMM\_REPT : HSCR 186-98 (HSH) HSCR 546-98 (FIN) SSCR 2829 (HRE) SSCR 3181 (WAM) CCR 104  
 STATUS : May-05 98 Received by the Governor  
 ----- PENDING FURTHER ACTION  
 SECT\_AFFD : 346- (1 SECTION), 346-71, 346-75, ACT 300 1996, ACT 200 1997

MEASURE : HB3027 HD2 SD1 (SSCR 2831)  
 TITLE : A BILL FOR AN ACT RELATING TO MEDICAID OVERPAYMENT RECOVERY.  
 INTRO : Souki J (BR) (586-6100)  
 DESCRIPT : Requires the director of human services to recover medicaid overpayments made to providers. Allows the director to file in circuit court a decision of the director or the administrative appeals officer. Requires the court to render a judgment. -- Allows the retention of state income tax refunds of those who receive a medicaid overpayment subject to recovery. Adds any medicaid overpayment to the definition of debt. -- HB3027 SD1  
 COMM\_REPT : HSCR 120-98 (HSH) HSCR 373-98 (JUD) HSCR 607-98 (FIN) SSCR 2831 (HRE) SSCR 3005 (WAM)  
 STATUS : May-06 98 Received by the Governor  
 ----- PENDING FURTHER ACTION  
 SECT\_AFFD : 346- (1 SECTION), 346- (1 SECTION), 231-51, 231-52



CONCORD/9798 RE: PASSED LEGISLATURE 1998

MEASURE : HB3028 HD1 SD2 CD1 (CCR 105)  
 TITLE : RELATING TO LONG-TERM CARE  
 INTRO : Souki J (BR) (586-6100)  
 DESCRIPT : Amends long term care provisions by changing the community long term care / nursing home without walls program to the medicaid home and community based waiver program under 42 USC s 3196n. Includes aged, developmentally disabled, and mentally retarded individuals who are certified as requiring acute, skilled nursing, intermediate care facility, or intermediate care facility for mentally retarded level care, in the program. Provides that these services shall be furnished to individuals in the areas of the State identified in the approved waiver program applications. Prohibits medicaid home and community based waiver program expenditures to exceed the amount authorized by the federal Health Care Financing Administration. Establishes criteria to qualify for the program. Provides that the services maximize the individual's independence shall be provided in the individual's home, the home of a responsible relative or other adult, or a residential alternative setting. Repeals provisions relating to cost sharing by clients not eligible for medicaid assistance. -- HB3028 CD1  
 COMM\_REPT : HSCR 278-98 (HSH) HSCR 587-98 (FIN) SSCR 2951 (HRE) SSCR 3182 (WAM) CCR 105  
 STATUS : May-05 98 Received by the Governor  
 ----- -- PENDING FURTHER ACTION  
 SECT\_AFFD : 346D- (1 SECTION), 346D-1, 346D-2, 346D-3, 346D-4, 346D-5

MEASURE : HB3031  
 ACT : 050 1998  
 TITLE : RELATING TO THE CAMPAIGN SPENDING COMMISSION.  
 INTRO : Souki J (BR) (586-6100)  
 DESCRIPT : Amends provision relating to the campaign spending commission by authorizing the commission to use moneys within the Hawaii election campaign fund for the operating expenses of the commission, including staff salaries and fringe benefits. Act to take effect July 1, 1998. -- HB3031  
 COMM\_REPT : HSCR 291-98 (JUD) HSCR 622-98 (FIN) SSCR 2871 (JDC) SSCR 3192 (WAM)  
 STATUS : Apr-16 98 Received by the Governor  
 Apr-29 98 Approved by Governor (Act 50 1998)  
 EFF\_DATE : July 1, 1998  
 SECT\_AFFD : 11-217 (\*)

MEASURE : HB3032 HD2 (HSCR 495-98)  
 ACT : 008 1998  
 TITLE : MAKING AN EMERGENCY APPROPRIATION FOR PUBLIC SAFETY.  
 INTRO : Souki J (BR) (586-6100)  
 DESCRIPT : Appropriation to the department of public safety to transfer 300 inmates to correctional facilities in other states, provided that funds not be used to house inmates in facilities that are under a federal consent decree. (\$\$) -- HB3032 HD2  
 COMM\_REPT : HSCR 156-98 (PSM) HSCR 495-98 (FIN) SSCR 2805 (JDC) SSCR 2978 (WAM)  
 STATUS : Apr-01 98 Received by the Governor  
 Apr-07 98 Approved by Governor (Act 8 1998)  
 EFF\_DATE : April 7, 1998

MEASURE : HB3033 HD2 SD2 CD1 (CCR 120)  
 TITLE : RELATING TO CORRECTIONS.  
 INTRO : Souki J (BR) (586-6100)  
 DESCRIPT : Authorizes the governor to enter into and execute contracts with any private entity for the construction of correctional facilities on public or private lands. -- Provides that the department of public safety shall be responsible for public or private correctional facilities. -- Amends provisions relating to contracts with territories and possessions of the US. Amends Act 305, session laws of 1993, as amended by Act 195, session laws of 1994, as amended by Act 156, session laws of 1995, as amended by Act 216, session laws of 1996, by authorizing the director of public safety to release pre trial (pretrial) inmates to prevent or relieve overcrowding when a community correctional center has reached capacity. Provides exceptions. Amends Act 305, session laws of 1993, as amended by Act 195, session laws of 1994, as amended by Act 156, session laws of 1995, as amended by Act 216, session laws of 1996, by extending the year which the director must report to the legislature and the act to be repealed to 1999 (sunset). Amends Act 195, session laws of 1994, as amended by Act 156, session laws of 1995, as amended by Act 216, session laws of 1996, by extending the year which the director must report to the legislature and the act to be repealed to 1999 (sunset). -- Authorizes the governor, with the assistance of the director of public safety, to negotiate with any person for the development of private in state correctional facilities, public in state turnkey correctional facilities to reduce prison overcrowding. Requires all proposals of these developments to address the construction of the facility separate from the operation of the facility. Provides criteria. Defines useful life costs. Requires the department to develop and implement a community partnering process to be incorporated into the request for proposal and that a community benefit and enhancement package be developed by the department and the affected community to mitigate the negative aspects of building a prison facility in the community. Further provides that the benefit and enhancement package may include infrastructure improvements, job training programs or improvements to schools and health care facilities, social programs, and other government functions. Requires the department to report to the legislature. -- HB3033 CD1  
 COMM\_REPT : HSCR 424-98 (PSM) HSCR 750-98 (FIN) SSCR 2922 (JDC) SSCR 3268 (WAM) CCR 120  
 STATUS : May-05 98 Received by the Governor  
 ----- -- PENDING FURTHER ACTION  
 SECT\_AFFD : 26-14.6, 323-1, 353- (3 SECTIONS), ACT 305 1993, ACT 195 1994, ACT 156 1995, ACT 216 1996

CONCORD/9798 RE: PASSED LEGISLATURE 1998

MEASURE : HB3053  
ACT : 051 1998  
TITLE : RELATING TO CIVIL SERVICE.  
INTRO : Souki J (BR) (586-6100)  
DESCRIPT : Amends provision relating to civil service by requiring appointing authorities to file necessary forms with respect to appointments, terminations of employment, transfers, resignations, suspensions, demotions, and dismissals, as the director of human resources development may request. -- HB3053  
COMM\_REPT : HSCR 474-98 (LAB) SSCR 3243 (HRE)  
STATUS : Apr-16 98 Received by the Governor  
Apr-29 98 Approved by Governor (Act 51 1998)  
EFF\_DATE : April 29, 1998  
SECT\_AFFD : 76-28 (\*)

MEASURE : HB3054 HD1 (HSCR 528-98)  
ACT : 052 1998  
TITLE : RELATING TO PERFORMANCE RATINGS OF EMPLOYEES IN THE CIVIL SERVICE.  
INTRO : Souki J (BR) (586-6100)  
DESCRIPT : Requires departments to transmit final performance ratings upon request to the director of human resources development. Requires the original performance rating to be filed in the employee's official personnel file. -- HB3054 HD1  
COMM\_REPT : HSCR 528-98 (LAB) SSCR 3244 (HRE)  
STATUS : Apr-16 98 Received by the Governor  
Apr-29 98 Approved by Governor (Act 52 1998)  
EFF\_DATE : April 29, 1998  
SECT\_AFFD : 76-41 (\*)

MEASURE : HB3055  
ACT : 053 1998  
TITLE : RELATING TO CIVIL SERVICE.  
INTRO : Souki J (586-6100)  
DESCRIPT : Amends provision relating to civil service by eliminating the requirement for each county civil service commission to prepare an annual report to the mayor and county council. -- HB3055  
COMM\_REPT : HSCR 490-98 (LAB) SSCR 3245 (HRE)  
STATUS : Apr-16 98 Received by the Governor  
Apr-29 98 Approved by Governor (Act 53 1998)  
EFF\_DATE : April 29, 1998  
SECT\_AFFD : 76-56 (\*)

MEASURE : HB3059 SD1 (SSCR 2848)  
TITLE : RELATING TO THE STATE POLICY CONCERNING THE UTILIZATION OF VOLUNTEER SERVICE.  
INTRO : Souki J (BR) (586-6100)  
DESCRIPT : Amends provision relating to volunteer service. Amends definition of agency to include any agency within the executive and legislative branches of the counties. Excludes volunteers recruited, trained, or accepted by an agency from any provision of law relating to state or county employment, or from any collective bargaining agreement between the state and counties. -- HB3059 SD1  
COMM\_REPT : HSCR 475-98 (LAB) SSCR 2848 (TIA) SSCR 3237 (HRE)  
STATUS : May-01 98 Received by the Governor  
----- -- PENDING FURTHER ACTION  
SECT\_AFFD : 90-1, 90-2, 90-5

MEASURE : HB3065 HD2 SD2 CD1 (CCR 96)  
TITLE : RELATING TO TAXATION.  
INTRO : Souki J (586-6100)  
DESCRIPT : Requires the tobacco tax on every wholesaler or dealer to be paid through the use of stamps. Requires the department of taxation to furnish the stamps for sale. Changes the 5 cents tax for each cigarette sold, used, or possessed by a wholesaler or dealer to begin after December 31, 1998. -- Amends the income tax credits for motion picture and film production by defining benefits to mean promoting Hawaii, creating jobs and business opportunities in Hawaii in the industry. Also by defining labor costs to be for Hawaii residents and production costs to be actual expenditures for costs incurred in Hawaii. -- HB3065 CD1  
COMM\_REPT : HSCR 362-98 (JUD) HSCR 592-98 (FIN) SSCR 2956 (HEV) SSCR 3272 (WAM) CCR 96  
STATUS : May-05 98 Received by the Governor  
----- -- PENDING FURTHER ACTION  
SECT\_AFFD : 245- (25 SECTIONS) STAMPING OF CIGARETTES, 245-1, 245-3, 245-5, 245-6, 245-8, 245-15, 235-17

MEASURE : HB3082 HD1 SD1 (SSCR 2909)  
TITLE : RELATING TO ADMINISTRATIVE REVOCATION OF DRIVER'S LICENSE  
INTRO : Souki J (BR) (586-6100)  
DESCRIPT : Amends administrative revocation of driver's license by changing arrestee to include a person convicted of habitually driving under the influence of intoxicating liquor. -- HB3082 SD1

CONCORD/9798 RE: PASSED LEGISLATURE 1998

COMM\_REPT : HSCR 148-98 (TRN) HSCR 670-98 (JUD) SSCR 2909 (TIA) SSCR 3216 (JDC)

STATUS : Apr-29 98 Received by the Governor

----- -- PENDING FURTHER ACTION

SECT\_AFFD : 286-251, 286-253, 286-254, 286-255, 286-257

MEASURE : HB3130 HD1 SD1 (SSCR 3283)

TITLE : RELATING TO A CONSTITUTIONAL CONVENTION.

INTRO : Souki J (BR) (586-6100)

DESCRIPT : Provides for submission to the electorate at the next general election the question of whether there should be a constitutional convention to propose amendments to the state constitution. -- HB3130 SD1

COMM\_REPT : HSCR 229-98 (JUD) SSCR 3283 (JDC)

STATUS : May-01 98 Received by the Governor

----- -- PENDING FURTHER ACTION

MEASURE : HB3138 HD1 SD1 CD1 (CCR 58)

TITLE : RELATING TO THE COUNTIES.

INTRO : Tarnas D (586-8510)

DESCRIPT : Establishes provisions relating to the transfer of development rights. Authorizes counties to transfer development rights from 1 lot, parcel, or area of land in any sending district to another lot, parcel, or area of land in 1 or more receiving districts.

Establishes conditions. Provides criteria. -- HB3138 CD1

COMM\_REPT : HSCR 695-98 (WLU) SSCR 2910 (TIA) SSCR 3157 (WLH) CCR 58

STATUS : May-05 98 Received by the Governor

----- -- PENDING FURTHER ACTION

SECT\_AFFD : 46- (5 SECTIONS) TRANSFER OF DEVELOPMENT RIGHTS (\*)

MEASURE : HB3185 HD1 SD1 (SSCR 3217)

TITLE : RELATING TO ADMINISTRATIVE REVOCATION OF DRIVER'S LICENSE.

INTRO : Hiraki K (586-6180)

DESCRIPT : Amends administrative revocation of driver's license by changing arrestee to include a person from whom a blood sample has been drawn in the course of medical treatment for injuries from a motor vehicle accident. Provides for drug control roadblocks. Also includes a person involved in a collision resulting in injury or death and the police have probable cause to believe that the person has committed a violation of driving under the influence of intoxicating liquor or drugs or negligent homicide using a motor vehicle. -- HB3185 SD1

COMM\_REPT : HSCR 149-98 (TRN) HSCR 736-98 (JUD) SSCR 2788 (TIA) SSCR 3217 (JDC)

STATUS : Apr-29 98 Received by the Governor

----- -- PENDING FURTHER ACTION

SECT\_AFFD : 286-251, 286-255, 286-257, 286-258, 286-259

MEASURE : HB3192 HD1 SD1 CD1 (CCR 97)

TITLE : RELATING TO SUPPORT ENFORCEMENT.

INTRO : Tom T (586-6490)

DESCRIPT : Amends provisions relating to support enforcement. Allows the state to retain state income tax refunds of persons who are delinquent in the payment of child support. Amends definitions of claimant agency, debt, and debtor to include delinquent child support. Amends definitions of debt and debtor to include administrative ordered payments for child support. Amends definitions of child support and order of support to include spousal support when in conjunction with child support or medical support when a court or administrative order requires the debtor parent to pay an amount in lieu of providing medical insurance coverage or to reimburse for maternity and delivery expenses. -- Requires the name of a debtor parent and the amount of delinquent support owed by a debtor parent residing in the state to be made available to any consumer reporting agency as defined in section 603 (f) of the Fair Credit Reporting Act. -- Prohibits an agency from disclosing information relating to the location of a child to another party if the agency knows a protective order has been entered with respect to the other party, or if the agency has reason to believe that disclosure of that information may result in physical or emotional harm to the party or the child. Prohibits a family court or hearings officer from disclosing information about a parent or child received from the Secretary of Health and Human Services if disclosure of the information could be harmful to the parent or child. -- Requires that all agencies assisting in title IV D collection have access to any system used by the state to locate an individual for purposes relating to motor vehicles or law enforcement. -- Provides that bills for pregnancy and childbirth, including medical insurance premiums and genetic testing, shall constitute prima facie evidence of amounts incurred for paternity services or for testing on behalf of a child. -- HB3192 CD1

COMM\_REPT : HSCR 680-98 (JUD) SSCR 2872 (JDC) SSCR 3284 (WAM) CCR 97

STATUS : May-05 98 Received by the Governor

----- -- PENDING FURTHER ACTION

SECT\_AFFD : 231-51, 231-52, 383-163.5, 576D-1, 576D-6, 576D-12, 576D-18, 576E-1, 584-12

MEASURE : HB3247 HD1 SD1 (SSCR 2849)

TITLE : RELATING TO SHORT TERM INVESTMENT OF COUNTY MONIES.

INTRO : Souki J (BR) (586-6100)

DESCRIPT : Amends provision relating to the investment of county moneys. Authorizes the director of finance of each county to invest county moneys in federal home loan bank notes and bonds, federal home loan mortgage corporation bonds, federal national mortgage association notes and bonds, or in securities of a mutual fund whose portfolio is limited to bonds or securities issued

or guaranteed by the US or an agency thereof, or in repurchase agreements fully collateralized by any bonds or securities, savings and loan association, or financial services loan company. Further provides for investment in student loan resource securities, including student loan auction rate securities, asset backed notes, program revenue notes and bonds, and securities issued pursuant to Rule 144A of the Securities Act of 1933, including private placement issues. Provides criteria. -- HB3247 SD1

COMM\_REPT : HSCR 467-98 (FIN) SSCR 2849 (TIA) SSCR 3206 (WAM)

STATUS : May-06 98 Received by the Governor  
----- -- PENDING FURTHER ACTION

SECT\_AFFD : 46-50 (\*)

MEASURE : HB3248 HD1 SD1 (SSCR 2850)

TITLE : RELATING TO LAPSED WARRANTS.

INTRO : Souki J (BR) (586-6100)

DESCRIPT : Amends provision relating to lapsed warrants. Requires any warrant drawn upon any county treasury to be presented for payment before the close of the fiscal year next after the fiscal year in which it has been issued. Provides that all warrants not presented within that time shall be lapsed and shall not be paid, and any money held in a county treasury for payment of the warrant shall be transferred to a trust fund known as the lapsed warrants trust fund. Provides that the fund balance shall not exceed 500,000 dollars, and any excess of that amount shall be transferred to the general fund. -- Reduces the time period that a payee of a warrant may file a claim for recovery with the county director of finance to 4 fiscal years (from 10 fiscal years) immediately following the year in which the warrant was lapsed. -- HB3248 SD1

COMM\_REPT : HSCR 468-98 (FIN) SSCR 2850 (TIA) SSCR 3186 (WAM)

STATUS : May-06 98 Received by the Governor  
----- -- PENDING FURTHER ACTION

SECT\_AFFD : 46-44.5 (\*)

MEASURE : HB3252 SD1 (SSCR 2789)

TITLE : RELATING TO MOTOR VEHICLE SAFETY RESPONSIBILITY.

INTRO : Souki J (BR) (586-6100)

DESCRIPT : Amends the motor vehicle proof of financial responsibility law by increasing the property damage amount from 1,000 dollars to 3,000 dollars. -- HB3252 SD1

COMM\_REPT : HSCR 616-98 (JUD) SSCR 2789 (TIA) SSCR 3218 (JDC)

STATUS : May-01 98 Received by the Governor  
----- -- PENDING FURTHER ACTION

SECT\_AFFD : 287-20 (\*)

MEASURE : HB3257 HD2 SD1 CD1 (CCR 62)

TITLE : RELATING TO CRIMINAL HISTORY CHECKS.

INTRO : Souki J (BR) (586-6100)

DESCRIPT : Amends provision relating to criminal history checks of persons by allowing the counties to develop procedures for obtaining the criminal history of such persons to determine whether or not a person is suitable for working in close proximity to children. Changes fingerprint searches in the national criminal history record files to the Federal Bureau of Investigation criminal history record files. Allows the Hawaii criminal justice data center to charge a reasonable fee for Federal Bureau of Investigation criminal history record checks. Allows the department of education, private schools, and counties to require the person to provide permission to be fingerprinted for the purpose of the Federal Bureau of Investigation criminal history record check. Prohibits the counties from securing criminal history checks on persons who have been continuously employed on a salaried basis prior to June 1, 1998. -- HB3257 CD1

COMM\_REPT : HSCR 289-98 (LAB) HSCR 746-98 (JUD) SSCR 2931 (HRE/ TIA) SSCR 3214 (JDC) CCR 62

STATUS : May-05 98 Received by the Governor  
----- -- PENDING FURTHER ACTION

SECT\_AFFD : 846-43 (\*)

MEASURE : HB3281 HD1 SD1 (SSCR 3167)

TITLE : RELATING TO CONDOMINIUMS.

INTRO : Oshiro M (586-8505)

DESCRIPT : Amends provisions relating to condominiums. Prohibits anyone contracted by an association of apartment owners to collect delinquent assessments against any owner's apartment from sharing any portion of any penalties or late charges collected. -- HB3281 SD1

COMM\_REPT : HSCR 626-98 (CPC) SSCR 3167 (GOH)

STATUS : May-07 98 Received by the Governor  
----- -- PENDING FURTHER ACTION

SECT\_AFFD : 514A-82, 514A-94

MEASURE : HB3289 HD1 SD1 CD1 (CCR 67)

TITLE : RELATING TO LIABILITY.

INTRO : White M (586-6790)

DESCRIPT : Establishes that a hotelkeeper shall have no duty to instruct or train a user of recreational equipment or to supervise the use of such equipment where the equipment is in fact used without supervision and, at the time of such use, is not part of an activity guided or managed by representatives of the hotelkeeper. Defines recreational equipment. -- Clarifies that the liability of a

hotelkeeper is not barred for negligence in the maintenance of recreational equipment, or when a loss or injury is suffered by a hotel guest and is caused by the hotelkeeper's failure to warn against a hazardous condition on a beach or in the ocean that is known or should have been known to a reasonably prudent hotelkeeper. -- HB3289 CD1

COMM\_REPT : HSCR 209-98 (TSM) HSCR 668-98 (JUD) SSCR 2936 (ECD) SSCR 3234 (JDC) CCR 67

STATUS : May-05 98 Received by the Governor

----- -- PENDING FURTHER ACTION

SECT\_AFFD : 486K- (1 SECTION) (\*)

MEASURE : HB3317

ACT : 026 1998

TITLE : RELATING TO PUBLIC LANDS.

INTRO : Takamine D (BR) (586-6440)

DESCRIPT : Requires the state to approve a public auction sale of the Mabel Smyth memorial auditorium building and property. -- HB3317

COMM\_REPT : HSCR 259-98 (WLU) HSCR 621-98 (FIN) SSCR 2891 (GOH) SSCR 2997 (WAM)

STATUS : Apr-13 98 Received by the Governor

Apr-23 98 Approved by Governor (Act 26 1998)

EFF\_DATE : April 23, 1998

MEASURE : HB3367 HD1 SD1 CD1 (CCR 52)

TITLE : RELATING TO HEALTH TOURISM.

INTRO : Cachola R (586-6110)

DESCRIPT : Establishes an international exchange program for medical and nursing students within the university of Hawaii John A. Burns school of medicine and the school of nursing that shall focus on Hawaii's role in international medical and nursing education, training, research, and information sharing. Provides that the school of medicine and school of nursing, in cooperation with the school of public health and school of travel industry management, shall develop a plan for the development and promotion of health related tourism in the state. Establishes an international exchange health care tourism revolving fund to be expended on student aid, training projects, teaching, supplies, services, and activities regarding the development and promotion of health related tourism. Annual report to the legislature. Act to take effect July 1, 1998. -- HB3367 CD1

COMM\_REPT : HSCR 108-98 (TSM) HSCR 772-98 (FIN) SSCR 2861 (EDU/ HEV/) SSCR 3174 (WAM) CCR 52

STATUS : May-05 98 Received by the Governor

----- -- PENDING FURTHER ACTION

SECT\_AFFD : 304- (2 SECTIONS) (\*)

MEASURE : HB3403 HD2 SD1 CD2 (CCR 145)

TITLE : RELATING TO OFFENSES AGAINST PROPERTY.

INTRO : Jones M (586-8460)

DESCRIPT : Amends provision relating to offenses against property by amending provisions of theft in the 2nd degree to include any person who commits theft of an aquaculture product, agricultural equipment, supplies, or products from premises where there is prominently displayed a sign or signs to give notice and read "Private Property." -- HB3403 CD2

COMM\_REPT : HSCR 401-98 (AGR) HSCR 672-98 (JUD) SSCR 2822 (ECD) SSCR 3251 (JDC) CCR 68 CCR 145

STATUS : May-13 98 Passed Legislature

----- -- PENDING FURTHER ACTION

SECT\_AFFD : 708-831 (\*)

MEASURE : HB3437 HD2 SD2 CD1 (CCR 116)

TITLE : RELATING TO FUNDING THE HAWAII HURRICANE FUND.

INTRO : Menor R (BR) (586-6150)

DESCRIPT : Amends the Hawaii hurricane relief fund provisions. Changes the assessment that is made in the event of a loss to a covered event to insurers which acted as servicing facilities during the 12 months ending at the start of the month preceding the month in which the covered event occurs and to a fixed percentage of the total coverage written by the fund under its policies of hurricane property insurance during the month preceding the month in which the covered event occurs. Establishes percentages in calculating the total percentage. Changes the separate total assessment allocated to each servicing facility to be based on the proportion of the total amount or the gross direct written premiums for policies of hurricane property insurance in each case, during 12 months preceding the month in which the covered event occurs. Empowers the fund to create loss mitigation incentives, enter into claim financing transactions, and establish business and corporate entities or organizations. -- HB3437 CD1

COMM\_REPT : HSCR 413-98 (CPC) HSCR 753-98 (FIN) SSCR 2858 (CPI) SSCR 3197 (WAM) CCR 116

STATUS : May-05 98 Received by the Governor

----- -- PENDING FURTHER ACTION

SECT\_AFFD : 431P-5 (\*)

MEASURE : HB3443 HD1 SD2 CD1 (CCR 139)

TITLE : RELATING TO LOANS.

INTRO : Herkes R (586-6530)

DESCRIPT : Requires the department of agriculture to make loans from the agriculture loan revolving fund to qualified farmers in economically depressed areas of the state. Provides criteria. Report to the legislature. Repealed on June 30, 2000 (sunset). Appropriation. -- Establishes economic development loans provisions. Establishes an economic development loan special fund into which shall be deposited moneys from economic development loans that are available to the department of business,

economic development, and tourism, and the department of agriculture. Fund to be administered by the economic development administrative procedures loan committee composed of 7 members, the director of the business, economic development, and tourism or designee, the chair of the board of agriculture or designee, and 5 members of financial institutions appointed by the governor. Committee to establish procedures under which financial institutions shall access the economic loan fund. -- Amends provision by allowing the department of business, economic development, and tourism to contract with any financial institution for services including servicing or administering loans for disaster relief, capital loan programs, and aquaculture loan programs. Defines financial institution. Amends Act 311, session laws of 1996, relating to capital loan program. (\$\$) -- HB3443 CD1

COMM\_REPT : HSCR 167-98 (EDB) HSCR 770-98 (FIN) SSCR 2842 (ECD) SSCR 3172 (WAM) CCR 139  
 STATUS : May-13 98 Passed Legislature  
 ----- -- PENDING FURTHER ACTION  
 SECT\_AFFD : (3 SECTIONS) ECONOMIC DEVELOPMENT LOANS, 209-26, 210-6, 219-9, ACT 311 1996

MEASURE : HB3446 SD2 CD1 (CCR 119)  
 TITLE : AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES.  
 INTRO : Okamura T (586-6340)  
 DESCRIPT : Authorizes the issuance of special purpose revenue bonds to assist Kupuna Park, Inc., a Hawaii not for profit corporation, or another Hawaii not for profit entity established by or under the auspices of Kupuna Park, Inc., in the acquisition or leasing of land for, and the planning, design, construction, and operation of a senior housing community. (\$\$) -- HB3446 CD1  
 COMM\_REPT : HSCR 172-98 (HSH/ HLT/) HSCR 562-98 (FIN) SSCR 2892 (GOH/ HEV/) SSCR 3273 (WAM) CCR 119  
 STATUS : May-13 98 Passed Legislature  
 ----- -- PENDING FURTHER ACTION

MEASURE : HB3457 HD2 SD2 CD1 (CCR 59)  
 TITLE : RELATING TO THE WEST HAWAII REGIONAL FISHERY MANAGEMENT AREA.  
 INTRO : Tarnas D (586-8510)  
 DESCRIPT : Establishes the west Hawaii regional fishery management area within the department of land and natural resources to improve the management of consumptive and nonconsumptive uses of aquatic resources encompassing the area. Includes the areas on the west coast of Hawaii island, from Ka Lae, Kau (South Point) to Upolu Point, North Kohala except Kawaihae commercial harbor. Requires the department to develop an area plan to designate at least 30 per cent of coastal waters as fish replenishment areas which prohibit the collection of aquarium fish, establish a mooring bouy system and designate some high use areas where anchoring is prohibited, establish fish reserve areas where no fishing of reef dwelling fish is allowed, and designate areas where the use of gill nets as set nets shall be prohibited. Requires a review of the plan to be conducted every 5 years by the department of land and natural resources in cooperation with the university of Hawaii. Report to the legislature. Provides criteria. Requires the department to identify specific areas and restrictions after close consultation and dialogue with community members and resource users. -- HB3457 CD1  
 COMM\_REPT : HSCR 326-98 (OMR) HSCR 519-98 (FIN) SSCR 2866 (ECD) SSCR 3269 (WAM) CCR 59  
 STATUS : May-05 98 Received by the Governor  
 ----- -- PENDING FURTHER ACTION  
 SECT\_AFFD : (6 SECTIONS) WEST HAWAII REGIONAL FISHERY MANAGEMENT AREA (\*)

MEASURE : HB3466 HD1 (HSCR 199-98)  
 ACT : 054 1998  
 TITLE : RELATING TO RETENTION OF CASHED WARRANTS.  
 INTRO : Kawakami B (586-6280)  
 DESCRIPT : Amends provision relating to state warrants. Permits the director of finance and comptroller to destroy all warrants of the state which have been paid and bear any date 3 years prior to the date of destruction; provided that the warrants have been copied to an unalterable media or electronic storage form and the copies are maintained for 10 years from the date of the warrant. -- HB3466 HD1  
 COMM\_REPT : HSCR 199-98 (FIN) SSCR 3193 (WAM)  
 STATUS : Apr-16 98 Received by the Governor  
 Apr-29 98 Approved by Governor (Act 54 1998)  
 EFF\_DATE : April 29, 1998  
 SECT\_AFFD : 40-11 (\*)

MEASURE : HB3468 HD2 SD2 CD1 (CCR 102)  
 TITLE : RELATING TO HAWAII HEALTH SYSTEMS CORPORATION.  
 INTRO : Kawakami B (586-6280)  
 DESCRIPT : Establishes the executive public health facility management advisory committee within the Hawaii health systems corporation. Committee members to consist of the chairperson of each of the 5 regional committees. Adds 2 ex officio nonvoting members, to be appointed or removed by the executive public health facility management advisory committee. Requires the 11th and 12th voting members of the corporation board to be the chairperson of the executive public health facility management advisory committee and a physician with active medical staff privileges at 1 of the corporation's public health facilities. -- Adds that the corporation shall authorize and establish positions as part of its duties and powers. Authorizes the corporation's chief executive officer or designee to appoint hospital administrators, assistant administrators, directors of nursing, medical directors, and staff physicians, to facilitate the management of facilities within the corporation. Amends Act 262, session laws of 1996, relating to the transfer of the division of community hospitals to the corporation, by changing the number of years after the transfer date for the corporation to enter into agreements with the state to utilize the facilities and real property, from 2 to 3 years. Further

changes the number of years requiring state agencies to continue to provide services to the corporation, without charge, after the transfer date from 2 to 3 years. -- Allows the corporation to negotiate with the applicable exclusive representative specific terms and conditions of employment, including differentials, covering the employees of the corporation through a memorandum of agreement except for wage increases and contributions to the Hawaii public employees health fund. Provides that any memorandum of agreement shall be executed by the corporation and the applicable exclusive representative and shall have the same expiration date as the applicable collective bargaining agreement negotiated. -- Requires the corporation to establish a working group to identify and describe the liabilities assumed by the corporation as of the transfer date. Group to include the department of accounting and general services and the department of budget and finance. Requires the group to discuss debts owed to the state, reparations issued by the office of Hawaiian affairs, pension fund and insurance payments for retired employees, civil penalties, fines and judgments, and vacation and sick leave benefits. Requires the corporation to report to the legislature. Provides that the 2 at large positions on the corporation board shall expire on June 30, 1998 (sunset). Act to take effect on June 1, 1998. -- HB3468 CD1

COMM\_REPT : HSCR 340-98 (HLT) HSCR 590-98 (FIN) SSCR 2958 (HEV) SSCR 2999 (WAM) CCR 102

STATUS : May-05 98 Received by the Governor  
----- -- PENDING FURTHER ACTION

SECT\_AFFD : 323F- (2 SECTIONS), 76-121, 82-6, 323F-3, 323F-4, 323F-7, 323F-8, 323F-10, ACT 262 1996

MEASURE : HB3489 HD2 SD2 (SSCR 3166)

TITLE : RELATING TO HARBORS.

INTRO : Abinsay F (586-6010)

DESCRIPT : Amends provision relating to harbors. Provides that when weather, road closures due to special events, or road repairs do not permit the loading or unloading of passengers at Kewalo Basin, cruise boats holding a Kewalo Basin sublease approved by the State shall be allowed to use Honolulu Harbor facilities on a space available basis. Provides that fees for the use of facilities shall be in accordance with rules of the department of transportation. -- HB3489 SD2

COMM\_REPT : HSCR 317-98 (TRN) HSCR 606-98 (FIN) SSCR 2857 (TIA/ ECD/) SSCR 3166 (WAM)

STATUS : May-01 98 Received by the Governor  
----- -- PENDING FURTHER ACTION

SECT\_AFFD : 266-17, 266-19

MEASURE : HB3527 HD1 SD2 (SSCR 3173)

TITLE : RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR PROJECTS ON THE ISLAND OF HAWAII.

INTRO : Souki J (BR) (586-6100)

DESCRIPT : Amends Act 263, session laws of 1993 authorizing the issuance of special purpose revenue bonds to assist industrial enterprises and to assist Hui 'Enekinia Hawaii (Hui Enekinia Hawaii), or a limited partnership in which it is a general partner, to establish a cogeneration facility and related water production facilities, by increasing the bond amount and by extending the lapse date to June 30, 2003 (sunset). Act to take effect on June 29, 1998. (\$\$) -- HB3527 SD2

COMM\_REPT : HSCR 138-98 (EEP) HSCR 517-98 (FIN) SSCR 2899 (ECD) SSCR 3173 (WAM)

STATUS : May-14 98 Passed Legislature  
----- -- PENDING FURTHER ACTION

SECT\_AFFD : ACT 263 1993 (\*)

MEASURE : HB3528 HD1 SD2 CD1 (CCR 79)

TITLE : RELATING TO EMPLOYMENT PRACTICES.

INTRO : Souki J (BR) (586-6100)

DESCRIPT : Establishes provision authorizing an employer to inquire about and consider an individual's criminal conviction record concerning hiring, termination, or the terms, conditions, or privileges of employment, provided that the conviction record bears a rational relationship to the duties and responsibilities of the position. -- HB3528 CD1

COMM\_REPT : HSCR 276-98 (LAB) HSCR 673-98 (JUD) SSCR 2959 (HRE) SSCR 3282 (JDC) CCR 79

STATUS : May-05 98 Received by the Governor  
----- -- PENDING FURTHER ACTION

SECT\_AFFD : 378- (1 SECTION), 378-3

MEASURE : HB3553 SD1 CD1 (CCR 98)

TITLE : RELATING TO FORFEITURE.

INTRO : Souki J (BR) (586-6100)

DESCRIPT : Amends provision relating to offenses for which property is subject to forfeiture to include unauthorized entry into motor vehicles. -- HB3553 CD1

COMM\_REPT : HSCR 684-98 (JUD) SSCR 3256 (JDC) CCR 98

STATUS : May-05 98 Received by the Governor  
----- -- PENDING FURTHER ACTION

SECT\_AFFD : 712A-4 (\*)

MEASURE : HB3581 HD1 SD1 (SSCR 2812)

TITLE : RELATING TO STATEWIDE TRAFFIC CODE.

INTRO : Souki J (BR) (586-6100)

DESCRIPT : Establishes penalties for driving a moped without a driver's license. -- HB3581 SD1

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COMM\_REPT : HSCR 233-98 (TRN) HSCR 748-98 (JUD) SSCR 2812 (TIA) SSCR 3219 (JDC)

STATUS : Apr-29 98 Received by the Governor

----- -- PENDING FURTHER ACTION

SECT\_AFFD : 291C-194 (\*)

MEASURE : HB3625 HD3 SD2 CD1 (CCR 154)

TITLE : RELATING TO GOVERNMENT REORGANIZATION.

INTRO : Jones M (586-8460)

DESCRIPT : Establishes within the department of agriculture the Hawaii aquaculture advisory council to advise the board of agriculture on matters relating to aquaculture and to coordinate aquaculture activities among the various government agencies and private industry. Provides that the council be comprised of 13 voting members to consist of the chairperson of the board of agriculture, the director of business, economic development, and tourism, the chairperson of the board of land and natural resources, the dean of the college of tropical agriculture and human resources, the director of the sea grant college program, and the chairperson of the Hawaiian homes commission. Provides that 6 voting members represent state aquaculture producers and private aquaculture consultants and be appointed by the governor. Provides that 1 member be appointed by the governor and represent the aquaculture support industries. Provides that there shall be no more than 10 nonvoting members to be designated by the mayors of each county. Requires the chairperson of the board of agriculture to serve as the chairperson of the council. Requires the council to submit an annual report to the governor, board, and the legislature. -- Establishes within the department an aquaculture program to promote and support aquaculture activities, serve as an information clearinghouse, coordinate development projects, seek federal funding for aquaculture activities, and undertake activities to develop and expand the aquaculture industry. -- Requires the chairperson of the board of agriculture to identify problems related to agriculture and the appropriate State agencies and departments needed to solve the problem. Provides that with the approval of the governor the necessary assistance shall be provided until the problem is resolved. Amends provision relating to the board to include the administering of the aquaculture program. -- Requires the board of directors of the agribusiness corporation to consist of the members of the board of agriculture. -- Amends the definition of public lands by excluding all lands in which the agribusiness development corporation holds title. -- Amends aquatic resources provision by removing aquaculture programs from the powers and duties of the department of land and natural resources. -- Amends provision relating to the specific research and promotional functions of the department of business, economic development, and tourism by removing agricultural development. Repeals provisions establishing an aquaculture program and aquaculture advisory council within the department of land and natural resources. Transfers all duties and functions of the aquaculture program to the department of agriculture. -- Provides that all moneys to carry out the purposes of the financial services assistance program shall be allocated by the legislature through appropriations out of the Hawaii capital loan revolving fund and that all moneys received in repayment of loan principal, payment of interest, or fees, shall be deposited into the Hawaii capital loan revolving fund. Provides that the department of business, economic development, and tourism may utilize a portion of the moneys contained in the Hawaii capital loan revolving fund for programs associated with administering the fund and its purpose. -- Act to take effect July 1, 1998. -- HB3625 CD1

COMM\_REPT : HSCR 82-98 (AGR) HSCR 363-98 (AGR) HSCR 795-98 (FIN) SSCR 2867 (ECD) SSCR 3289 (WAM) CCR 154

STATUS : May-13 98 Passed Legislature

----- -- PENDING FURTHER ACTION

SECT\_AFFD : (5 SECTIONS) AQUACULTURE ADVISORY COUNCIL, 141- (1 SECTION), 26-16, 163D-3, 171-2, 187A-2, 201-3, 187A-3, 189G-1, 189G-2, 189G-3, 189G-4, 189G-5, 201C-3, 210-3

MEASURE : SB0379 SD2 HD2 CD1 (CCR 141)

TITLE : RELATING TO RECYCLING.

INTRO : Levin A (BR) (586-6760)

DESCRIPT : Requires all scrap tire haulers to provide evidence, to the retailer from which the tires were collected, of delivery of the used motor vehicle tires to a permitted tire processor or recycler, and that the tires are being disposed of through a permitted tire processor or recycler. Requires all retailers of motor vehicle tires to maintain records of the disposal / recycling of their used tires for a minimum of 3 years. Provides that records shall be made available for review by the department of health upon request. Defines proof of purchase. Further requires each tire retailer to collect a 7 dollar deposit, at the point of sale, for each new motor vehicle tire purchased by a customer not accompanied by a motor vehicle tire, to issue a 7 dollar refund for each motor vehicle tire returned by a customer along with a proof of purchase issued by the same retailer dated after June 30, 1998, and to post a written notice stating such provisions. -- SB0379 CD1

COMM\_REPT : SSCR 536 (HEV) SSCR 2642 (JDC) HSCR 974-98 (EEP) HSCR 1337-98 (FIN) CCR 128 CCR 141

STATUS : May-13 98 Passed Legislature

----- -- PENDING FURTHER ACTION

SECT\_AFFD : 342I- (1 SECTION), 342I-21, 342I-23

MEASURE : SB0632 SD2 HD3 CD1 (CCR 39)

TITLE : RELATING TO TRAFFIC ENFORCEMENT.

INTRO : Fernandes Salling L (586-6850)

DESCRIPT : Allows any private contractor that has entered into a contract with a county to implement the photo red light imaging and photo speed imaging detector demonstration project to obtain from the county finance director and from the director of transportation the names and addresses of registered motor vehicle owners. -- Allows the counties to establish a 3 year demonstration project in selected areas of the county to provide for the implementation of photo red light imaging and photo speed imaging detector systems to improve traffic enforcement. Requires the department of transportation to develop request for proposals to purchase, lease, rent, use, install, maintain, and operate the systems. Authorizes the county with the approval of the department to contract for such systems. Interim and final reports by the county to the legislature. Act to take effect on July 1,



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1998, and be repealed July 1, 2001 (sunset). -- SB0632 CD1

COMM\_REPT : SSCR 478 (TIA/ JDC/) SSCR 893 (WAM) HSCR 1255 (TRN) HSCR 980-98 (JUD) HSCR 1213-98 (FIN) CCR 39

STATUS : May-07 98 Received by the Governor  
----- -- PENDING FURTHER ACTION

SECT\_AFFD : 286-45, 286-172, 291C-163

MEASURE : SB0705 SD2 HD1 (HSCR 840-98)

TITLE : RELATING TO CIVIL SERVICE EXEMPTIONS FOR THE JUDICIARY.

INTRO : Mizuguchi N (BR) (586-6870)

DESCRIPT : Amends the civil service law by increasing the number of exempt civil service positions in the 1st circuit to include 1 secretary for the judicial council, 2 additional law clerks each for the civil and criminal administrative judges of the circuit court, 1 additional law clerk for the senior judge of the family court, and 2 additional law clerks each for the civil and criminal motions judges of the circuit court. Act to take effect July 1, 1998. -- SB0705 HD1

COMM\_REPT : SSCR 2286 (HRE/ JDC/) SSCR 2499 (WAM) HSCR 840-98 (JUD) HSCR 1366-98 (FIN)

STATUS : Apr-24 98 Received by the Governor  
----- -- PENDING FURTHER ACTION

SECT\_AFFD : 76-16 (\*)

MEASURE : SB0720 SD2 HD2 CD1 (CCR 46)

TITLE : RELATING TO THE FEES AND COSTS FOR THE ADMINISTRATIVE REVOCATION OF DRIVER'S LICENSE.

INTRO : Mizuguchi N (BR) (586-6870)

DESCRIPT : Authorizes the director of transportation to assess and collect a fee of 15 dollars for the costs of processing an arrestee's requests for an administrative hearing. -- SB0720 CD1

COMM\_REPT : SSCR 444 (JDC) SSCR 2297 (WAM) HSCR 985-98 (JUD) HSCR 1327-98 (FIN) CCR 46

STATUS : May-07 98 Received by the Governor  
----- -- PENDING FURTHER ACTION

SECT\_AFFD : 286- (1 SECTION), 286-254, 286-259

MEASURE : SB0721 SD1 HD2 CD1 (CCR 47)

TITLE : RELATING TO THE JUDICIARY.

INTRO : Mizuguchi N (BR) (586-6870)

DESCRIPT : Increases district court fees relating to an action or proceeding and filing of notice of appeal to the supreme court. -- Increases circuit court fees relating to civil actions or special proceedings; trusts; guardianship of estate or conservatorship including probate, administration, or ancillary administration, and informal probate; family court cases including matrimonial action, adoption, and guardianship; and jury trial. Increases the fee for issuing summons and copies, trial, judgement, and satisfaction in an action in the small claims division of the district court. Increases the filing of a foreign judgment. Act to take effect July 1, 1998. -- SB0721 CD1

COMM\_REPT : SSCR 445 (JDC) SSCR 2748 (WAM) HSCR 841-98 (JUD) HSCR 1220-98 (FIN) CCR 47

STATUS : May-07 98 Received by the Governor  
----- -- PENDING FURTHER ACTION

SECT\_AFFD : 607-4, 607-5, 607-6, 633-29, 636C-6

MEASURE : SB0760 HD2 CD1 (CCR 142)

TITLE : RELATING TO SCHOOLS-WITHIN-SCHOOLS.

INTRO : McCartney M (586-6910)

DESCRIPT : Allows any school to establish schools within schools pursuant to rules adopted by the board of education. Requires the board to develop a plan to encourage schools within schools. Act to take effect July 1, 1998. -- SB0760 CD1

COMM\_REPT : SSCR 503 (EDU) SSCR 853 (WAM) HSCR 1282 (EDN) HSCR 1342-98 (FIN) CCR 129 CCR 142

STATUS : May-13 98 Passed Legislature  
----- -- PENDING FURTHER ACTION

SECT\_AFFD : 302A- (1 SECTION) (\*)

MEASURE : SB1065 SD1 HD1 CD1 (CCR 13)

TITLE : RELATING TO ELECTION OFFENSES.

INTRO : Mizuguchi N (BR) (586-6870)

DESCRIPT : Amends provision relating to employees entitled to leave on election day for voting to establish fines for any person, business, or corporation who refuses an employee leave for voting, or subjects an employee to a penalty or deduction of wages because of taking leave for voting, or who directly or indirectly violates this provision. -- Repeals other penalties, offenses, and prosecutions relating to election offenses. -- SB1065 CD1

COMM\_REPT : SSCR 728 (JDC) HSCR 1051-98 (JUD) CCR 13

STATUS : May-06 98 Received by the Governor  
----- -- PENDING FURTHER ACTION

SECT\_AFFD : 11-95, 19-7, 19-8, 19-9

MEASURE : SB1071 SD1 HD1 (HSCR 1272-98)

ACT : 055 1998

TITLE : RELATING TO THE OPENING OF THE ABSENTEE POLLING PLACE.

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INTRO : Mizuguchi N (BR) (586-6870)  
 DESCRIPT : Requires absentee polling places to be open no later than 10 working days before election day, and all Saturdays falling within that time period, or as soon as the absentee ballots are available. Requires that all absentee polling places be open on the same date statewide, as determined by the chief election officer. -- SB1071 HD1  
 COMM\_REPT : SSCR 732 (JDC) HSCR 1272-98 (JUD)  
 STATUS : Apr-17 98 Received by the Governor  
 Apr-29 98 Approved by Governor (Act 55 1998)  
 EFF\_DATE : April 29, 1998  
 SECT\_AFFD : 15-7 (\*)

MEASURE : SB1081 SD1 (SSCR 2424)  
 TITLE : RELATING TO CONSERVATION AND RESOURCES.  
 INTRO : Levin A (BR) (586-6760)  
 DESCRIPT : Amends the exemption for employees of the department of land and natural resources and other persons authorized by the board of land and natural resources to destroy game birds or game mammals without a hunting license by repealing the specific exemption for employees of the department. Provides that the license fee shall be waived for any employee to carry out the duties of the department. -- SB1081 SD1  
 COMM\_REPT : SSCR 2424 (ECD) HSCR 1464-98 (WLU)  
 STATUS : Apr-28 98 Received by the Governor  
 ----- PENDING FURTHER ACTION  
 SECT\_AFFD : 183D-21, 183D-22

MEASURE : SB1089 SD2 HD2 CD1 (CCR 131)  
 TITLE : RELATING TO ENDANGERED SPECIES.  
 INTRO : Levin A (BR) (586-6760)  
 DESCRIPT : Amends conservation of wildlife and plants law to provide private landowners with incentives to promote the conservation and recovery of threatened and endangered species and their habitats. Adds that for a temporary license as part of a habitat conservation plan to allow a take otherwise prohibited, a public hearing shall be held on the matter on the affected island and that the application and proposed license shall be available for public review and comment. Requires all state agencies to work cooperatively to process applications for habitat conservation plans and safe harbor agreements on a consolidated basis including concurrent processing of any state land use permit application that may be required, so as to minimize procedural burdens upon the applicant. Allows the department of land and natural resources instead of the board of land and natural resources to enter into a planning process with any landowner for the purpose of preparing and implementing a plan. Establishes monitoring requirements by the department or the endangered species recovery committee, or both, of habitat conservation plans and safe harbor agreements. Provides that the rights and obligations under any safe harbor agreement shall run with the land for the term agreed to in the agreement and shall be recorded by the department in the bureau of conveyances or land court. -- Amends provision relating to special permits. Allows land uses involving or supporting educational ecotourism, related to the preservation of native Hawaiian endangered, threatened, proposed, and candidate species, that are allowed in an approved habitat conservation plan or safe harbor agreement which are not identified as permissible uses within the agricultural district to be permitted in the agricultural district by special permit. -- SB1089 CD1  
 COMM\_REPT : SSCR 538 (HEV) SSCR 827 (WAM) HSCR 1291 (EEP) HSCR 1726 (FIN) CCR 131 - filed  
 STATUS : May-07 98 Received by the Governor  
 ----- PENDING FURTHER ACTION  
 SECT\_AFFD : 195D-4, 195D-21, 195D-22, 195D-25, 195D-27, 205-6, 343-3

MEASURE : SB1273 SD1 HD2 CD1 (CCR 42)  
 TITLE : RELATING TO VICTIMS OF SEXUAL ASSAULT.  
 INTRO : Mizuguchi N (BR) (586-6870)  
 DESCRIPT : Requires any sexual assault victim, or the parent or guardian of a minor or incapacitated victim, to be informed as soon as practicable after the assault, of the availability of human immunodeficiency virus (HIV, relating to AIDs) testing for the victim, the availability of counseling, and the right of the victim to request that the person convicted of a sexual assault offense be tested for HIV. Requires the court to order a convicted person to be tested for HIV upon the victim's request. Provides procedures. Provides that prior to a release of a person's records indicating the individual has HIV, AIDS related complex (ARC), or acquired immune deficiency syndrome (AIDS), the person to whom the information is to be released shall be required to sign a notice of HIV status disclosure advising them of the confidentiality provisions regarding HIV test results and the penalties for unlawful disclosure to any person other than a designated physician or HIV counselor. -- SB1273 CD1  
 COMM\_REPT : SSCR 2713 (JDC/ WAM/) HSCR 842-98 (JUD) HSCR 1322-98 (FIN) CCR 42  
 STATUS : May-07 98 Received by the Governor  
 ----- PENDING FURTHER ACTION  
 SECT\_AFFD : 325- (1 SECTION), 325-16, 325-101, 801D-4

MEASURE : SB1285 SD1 HD2 CD1 (CCR 1)  
 ACT : 002 1998  
 TITLE : RELATING TO PUBLICATION OF NOTICES BY GOVERNMENT AGENCIES.  
 INTRO : Mizuguchi N (BR) (586-6870)  
 DESCRIPT : Amends provisions relating to publication of notices by government agencies to give government agencies flexibility in selecting the means of providing public notice. -- SB1285 CD1

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COMM\_REPT : SSCR 793 (CPI/ WAM/) HSCR 1299 (JUD) HSCR 1715 (FIN) CCR 1

STATUS : Feb-12 98 Received by the Governor  
Feb-26 98 Approved by Governor (Act 2 1998)

EFF\_DATE : February 26, 1998

SECT\_AFFD : 1- (1 SECTION), 11-41, 11-65, 11-92.3, 11-227, 14-22, 25-2, 37-94, 38-3, 39-5, 39-55, 40-65, 46-145, 47-8, 47C-6, 49-5, 52D-10, 53-1, 53-16, 54-26, 54-63, 77-4, 78-1, 88-171, 91-3, 92-41, 109-8, 110-3, 157-33, 167-17, 171-16, 171-31.5, 171-41.5, 171-60, 172-1, 172-8, 174-17, 174C-26, 174C-42, 174C-46, 182-4, 183-12, 183-19, 183-20, 183C-4, 183C-6, 190D-11, 195-4, 199-7, 200-43, 200-49, 201G-73, 201G-76, 201G-122, 201G-130, 205-4, 205-5.2, 205A-29, 206-5, 206-9, 206-29, 231-25, 243-5, 246-40, 246-43, 246-56, 249-10, 249-13, 249-15, 261-7.5, 261-17.6, 261-17.7, 261-71, 261-73, 266-14, 269-12, 279E-6, 281-57, 306-4, 323-70, 323D-44.5, 342B-13, 342D-7, 342F-5, 342G-30, 342H-5, 342L-6, 359-80, 383-71, 396-4, 397-4, 415-95, 415A-18, 415B-98, 431:3-203.5, 440G-7, 448-6, 502-3, 516-22, 516-29, 523A-3.5, 523A-18, 523A-22, 523A-56, ACT 82 1975, ACT 137 1997

MEASURE : SB1309 SD1 HD2 CD1 (CCR 43)

TITLE : RELATING TO CRIMINAL INJURIES COMPENSATION.

INTRO : Mizuguchi N (BR) (586-6870)

DESCRIPT : Amends provisions relating to criminal injuries compensation by providing compensation for any resident of this State who is injured or killed by an act of terrorism occurring outside the US. Adds definition of crime and amends definitions of resident and victim. Amends provision relating to violent crimes to include terrorism. Prohibits compensation of any kind from being awarded to a victim or intervenor who suffered injury or death while confined in any federal, state, or county jail, prison, or other correctional facility. -- SB1309 CD1

COMM\_REPT : SSCR 468 (JDC) SSCR 782 (WAM) HSCR 1186 (JUD) HSCR 1221-98 (FIN) CCR 43

STATUS : May-07 98 Received by the Governor  
----- -- PENDING FURTHER ACTION

SECT\_AFFD : 351-2, 351-31, 351-32

MEASURE : SB1310 SD1 HD2 (HSCR 1060-98)

TITLE : RELATING TO CRIMINAL INJURIES COMPENSATION.

INTRO : Mizuguchi N (BR) (586-6870)

DESCRIPT : Changes name of criminal injuries compensation commission to crime victim compensation commission. Act to take effect July 1, 1998. -- SB1310 HD2

COMM\_REPT : SSCR 726 (JDC) HSCR 347-98 (JUD) HSCR 1060-98 (FIN)

STATUS : May-01 98 Received by the Governor  
----- -- PENDING FURTHER ACTION

SECT\_AFFD : 351-2, 351-11, 351-15, 351-16, 351-17, 351-31, 351-33, 351-35, 351-51, 351-52, 351-61, 351-62.5, 351-63, 351-65, 351-67, 351-68, 351-69, 351-70, 351-82, 26-14.6, 92-6, 354D-12, 706-605, 351-64.5, 351-84, 706-602

MEASURE : SB1362 HD1 (HSCR 1263-98)

TITLE : RELATING TO NEGOTIABLE INSTRUMENTS.

INTRO : Ige D (586-6230)

DESCRIPT : Amends provision relating to negotiable instruments to add definition of demand draft. -- SB1362 HD1

COMM\_REPT : SSCR 151 (CPI) HSCR 1263-98 (CPC)

STATUS : May-07 98 Received by the Governor  
----- -- PENDING FURTHER ACTION

SECT\_AFFD : 490:3-103, 490:3-104, 490:3-416, 490:3-417, 490:4-207, 490:4-208

MEASURE : SB1465 HD1 (HSCR 1312-98)

TITLE : RELATING TO PUBLIC EMPLOYEES.

INTRO : Mizuguchi N (BR) (586-6870)

DESCRIPT : Requires the board of trustees of the employees' retirement system to release the records of its retirants and beneficiaries to the Hawaii public employees health fund for the disbursement of authorized payments. -- SB1465 HD1

COMM\_REPT : SSCR 2435 (HRE) HSCR 957-98 (LAB) HSCR 1312-98 (FIN)

STATUS : Apr-24 98 Received by the Governor  
----- -- PENDING FURTHER ACTION

SECT\_AFFD : 88-103.5 (\*)

MEASURE : SB1559 SD2 HD3 (HSCR 1345-98)

TITLE : RELATING TO ENVIRONMENTAL HEALTH.

INTRO : Mizuguchi N (BR) (586-6870)

DESCRIPT : Amends provisions relating to asbestos by establishing applications for variance provisions for asbestos or lead based paint to allow deviation from asbestos or lead based paint hazards standards. Provides criteria. Provides that any application for variance may be subject to public participation. Establishes an asbestos and lead abatement special fund within the department of health. Requires fees collected by the department for certain licenses, permits, variance, and certificates to be deposited into the fund. Defines abatement and variance. Prohibits a warrantless search of a dwelling, unless the owner or occupier of the dwelling has consented. Add variance to violations subject to penalties. Adds lead hazard to asbestos emission control law. -- SB1559 HD3

COMM\_REPT : SSCR 428 (HEV) SSCR 2692 (WAM) HSCR 851-98 (EEP) HSCR 981-98 (JUD) HSCR 1345-98 (FIN)

STATUS : May=13 98 Passed Legislature  
 ----- -- PENDING FURTHER ACTION

SECT\_AFFD : 342P- (2 SECTIONS), 342P-40, 342P-41, 342P-42, 342P-43, 342P-44, 342P-1, 342P-3, 342P-4, 342P-5, 342P-6, 342P-20, 342P-22, 342P-23, 342P-24, 342P-28, 342P-29, 342P-31, 342P-33

MEASURE : SB1597 SD1 HD2 CD1 (CCR 8)  
 TITLE : RELATING TO AQUATIC RESOURCES PENALTIES.  
 INTRO : Mizuguchi N (BR) (586-6870)  
 DESCRIPT : Establishes provision relating to aquatic resources penalties. Authorizes the board to set, charge, and collect, or bring legal action to recover, administrative fines, and costs, including attorney's fees and costs, or payment for damages or for the cost to correct damages. Establishes administrative fines for 1st, 2nd, and 3rd or subsequent violations involving threatened or endangered species. Establishes administrative fines for 1st, 2nd, and 3rd or subsequent violations for all other violations regarding aquatic resources provisions. Further establishes fines for each specimen of threatened or endangered aquatic life taken, killed, or injured. Provides that any criminal penalty for any violation of any rule shall not preclude the State from recovering additional fines, fees, and costs, including attorney's fees and costs. -- SB1597 CD1

COMM\_REPT : SSCR 230 (ECD/ WLH/) SSCR 744 (JDC) HSCR 1179 (OMR) HSCR 1061-98 (JUD) CCR 8  
 STATUS : May-06 98 Received by the Governor  
 ----- -- PENDING FURTHER ACTION

SECT\_AFFD : 187A- (1 SECTION) (\*)

MEASURE : SB1946 SD1 HD2 (HSCR 1303-98)  
 TITLE : RELATING TO THE PRACTICE OF MEDICINE.  
 INTRO : Kawamoto C (586-6970)  
 DESCRIPT : Exempts traditional Hawaiian healing practices performed by traditional native Hawaiian healers, recognized and certified as such by the panel convened by Papa Ola Lokahi, from the prohibition against practicing medicine without a license. Provision to be repealed on July 1, 2000 (sunset). Requires Papa Ola Lokahi to convene a panel to consist of members from traditional native Hawaiian organizations to address issues regarding the implementation of such practices. Report to the legislature. -- SB1946 HD2

COMM\_REPT : SSCR 2723 (CPI) HSCR 825-98 (HLT) HSCR 1303-98 (CPC)  
 STATUS : May-07 98 Received by the Governor  
 ----- -- PENDING FURTHER ACTION

SECT\_AFFD : 453-2 (\*)

MEASURE : SB2025 SD2 HD2 (HSCR 1222-98)  
 TITLE : RELATING TO PLANT AND NON-DOMESTIC ANIMAL QUARANTINE.  
 INTRO : Bunda R (586-6090)  
 DESCRIPT : Amends provisions relating to plant and non domestic animal quarantine. Provides that public notice and hearing requirements shall not apply to the adoption of lists of conditionally approved, restricted, and prohibited animals, microorganisms, and plants. Allows the board to adopt rules to make additions to or deletions from the lists, provided that the board establish methods to obtain public input and to notify the public as to any additions or deletions. -- SB2025 HD2

COMM\_REPT : SSCR 2321 (ECD) SSCR 2653 (WAM) HSCR 874-98 (AGR) HSCR 979-98 (JUD) HSCR 1222-98 (FIN)  
 STATUS : May-01 98 Received by the Governor  
 ----- -- PENDING FURTHER ACTION

SECT\_AFFD : 150A-6 (\*)

MEASURE : SB2026 SD1 HD1 (HSCR 1277-98)  
 TITLE : RELATING TO SMALL BUSINESS INNOVATION RESEARCH GRANTS.  
 INTRO : Bunda R (586-6090)  
 DESCRIPT : Provides a general excise tax exemption for amounts received as grants under high technology research and development loans and grants provisions which are given to a business that receives a federal small business innovation research phase I award or contract. Act to take effect July 1, 1998. -- SB2026 HD1

COMM\_REPT : SSCR 2322 (ECD) SSCR 2473 (WAM) HSCR 1277-98 (FIN)  
 STATUS : May-01 98 Received by the Governor  
 ----- -- PENDING FURTHER ACTION

SECT\_AFFD : 237-24.7 (\*)

MEASURE : SB2037 SD1 HD2 CD1 (CCR 126)  
 TITLE : RELATING TO HEALTH INSURANCE.  
 INTRO : Levin A (586-6760)  
 DESCRIPT : Establishes that any group health policy, contract, plan, or agreement issued or renewed under accident and sickness provision, individual and group hospital and medical service contracts under benefit societies provision, and each health maintenance organization (HMOs) shall cover emergency services provided 24 hours a day, 7 days a week to members with emergency medical conditions without regard to whether the member, or an emergency provider treating the member, obtained prior authorization for these services. Act to take effect on July 1, 1998 and repealed on July 1, 2003 (sunset). -- SB2037 CD1

COMM\_REPT : SSCR 2724 (CPI) HSCR 1008-98 (CPC) HSCR 1347-98 (FIN) CCR 126

CONCORD/9798 RE: PASSED LEGISLATURE 1998

STATUS : May-08 98 Received by the Governor  
----- -- PENDING FURTHER ACTION

SECT\_AFFD : 431:10A- (1 SECTION), 432:1- (1 SECTION), 432D- (1 SECTION)

MEASURE : SB2065 SD1 (SSCR 2531)  
TITLE : RELATING TO THE GENERAL EXCISE TAX.  
INTRO : Mizuguchi N (586-6870)  
DESCRIPT : Provides a general excise tax exemption for all the gross proceeds or gross income arising from the sale of tangible personal property imported to Hawaii from a foreign or domestic source to a licensed taxpayer for subsequent resale for the purpose of wholesale. -- SB2065 SD1

COMM\_REPT : SSCR 2531 (WAM) HSCR 1520-98 (FIN)  
STATUS : May-14 98 Passed Legislature  
----- -- PENDING FURTHER ACTION

SECT\_AFFD : 237- (1 SECTION) (\*)

MEASURE : SB2078 SD1 HD3 CD1 (CCR 25)  
TITLE : RELATING TO OCEAN RECREATION.  
INTRO : Tanaka J (586-7110)  
DESCRIPT : Amends provision relating to the operation of thrill craft; parasailing; water sledding; and commercial high speed boating. Provides that all commercial use and operator permits issued by the department of land and natural resources, for commercial thrill craft and parasailing activities, shall be fully transferable upon the payment of a business transfer fee which shall be no greater than 6 per cent of the transfer price. Provides that no more than 1 transfer every 2 years shall be authorized except transfers between family members for the purpose of business reorganization. Increases the maximum number of years in which a commercial use and operator permit issued shall be valid from 10 to 20 years. Provides that upon expiration of the 20 year period, the permit may be offered for public auction. -- Amends provision relating to Kaneohe Bay ocean use activities, permits, restrictions to include master plan amendments made by the Kaneohe Bay regional council. -- Authorizes the council to review and periodically amend the master plan as it relates to ocean use activities. Act to take effect July 1, 1998. -- SB2078 CD1

COMM\_REPT : SSCR 2638 (ECD) HSCR 879-98 (TSM) HSCR 1027-98 (OMR) HSCR 1334-98 (FIN) CCR 25  
STATUS : May-06 98 Received by the Governor  
----- -- PENDING FURTHER ACTION

SECT\_AFFD : 200-37, 200-39, 200D-1, 200D-3

MEASURE : SB2092 SD1 HD1 CD1 (CCR 158)  
TITLE : RELATING TO INCOME TAX LAW.  
INTRO : Taniguchi B (586-6460)  
DESCRIPT : Extends the deadline to install wind energy systems, solar energy systems, heat pumps, and ice storage systems in order to claim an income tax credit from January 1, 1999 to July 1, 2003 (sunset). Provides that if similar federal energy tax credits are established, then the state tax credits shall be reduced by the amount of the applicable federal energy tax credit. -- Establishes a task force within the department of business, economic development, and tourism to explore the most cost effective means of increased energy efficiency and sustainability. Provides criteria. Requires the task force to consist of representatives from the department of business, economic development, and tourism, and the solar, utilities, and building industries. Report to the legislature. Task force to cease to operate on January 1, 2002 (sunset). Act to take effect July 1, 1998. -- SB2092 CD1

COMM\_REPT : SSCR 2011 (ECD) SSCR 2474 (WAM) HSCR 1013-98 (EEP) HSCR 1338-98 (FIN) CCR 158  
STATUS : May-13 98 Passed Legislature  
----- -- PENDING FURTHER ACTION

SECT\_AFFD : 235-12 (\*)

MEASURE : SB2123 HD2 (HSCR 1223-98)  
ACT : 056 1998  
TITLE : RELATING TO BOARDS OF REGISTRATION.  
INTRO : Mizuguchi N (BR) (586-6870)  
DESCRIPT : Requires members of the boards of registration to be compensated pursuant to a schedule established by the chief election officer. Act to take effect July 1, 1998. -- SB2123 HD2

COMM\_REPT : SSCR 2033 (JDC) SSCR 2502 (WAM) HSCR 984-98 (JUD) HSCR 1223-98 (FIN)  
STATUS : Apr-17 98 Received by the Governor  
Apr-29 98 Approved by Governor (Act 56 1998)  
EFF\_DATE : July 1, 1998  
SECT\_AFFD : 11-42 (\*)

MEASURE : SB2132 SD1 HD1 (HSCR 1201-98)  
TITLE : RELATING TO LIQUOR LICENSES.  
INTRO : Baker R (586-6070)  
DESCRIPT : Amends intoxicating liquor provisions by including limited liability companies. Amends 1 day special liquor license for fundraising events by providing that any registered educational or charitable nonprofit organization may sell the specific liquors in their original packages for off premises consumption. -- SB2132 HD1

COMM\_REPT : SSCR 2103 (TIA) SSCR 2621 (CPI) HSCR 1201-98 (CPC)

CONCORD/9798 RE: PASSED LEGISLATURE 1998

STATUS : Apr-24 98 Received by the Governor  
----- -- PENDING FURTHER ACTION

SECT\_AFFD : 281-1, 281-32.3, 281-41, 281-53, 281-91, 281-101.4

MEASURE : SB2135 SD1 HD1 CD1 (CCR 3)  
TITLE : RELATING TO UNFAIR AND DECEPTIVE TRADE PRACTICES.  
INTRO : Baker R (586-6070)  
DESCRIPT : Amends Act 214, session laws of 1990, as amended by Act 240, session laws of 1991, as amended by Act 231, session laws of 1992, as amended by Act 174, session laws of 1995, by repealing the sunset dates of Act 174, session laws of 1995. Act to take effect June 29, 1998. -- SB2135 CD1

COMM\_REPT : SSCR 2242 (CPI) HSCR 1200-98 (CPC) CCR 3  
STATUS : May-06 98 Received by the Governor  
----- -- PENDING FURTHER ACTION

SECT\_AFFD : ACT 214 1990, ACT 240 1991, ACT 231 1992, ACT 174 1995

MEASURE : SB2136 SD1 HD1 CD1 (CCR 12)  
TITLE : RELATING TO LIQUOR CONTROL ADJUDICATION BOARD.  
INTRO : Baker R (586-6070)  
DESCRIPT : Provides that for each of the counties a liquor control adjudication board may be created. -- SB2136 CD1

COMM\_REPT : SSCR 2104 (TIA) SSCR 2564 (JDC) HSCR 1202-98 (CPC/ JUD/) CCR 12  
STATUS : May-06 98 Received by the Governor  
----- -- PENDING FURTHER ACTION

SECT\_AFFD : 281-1, 281-11, 281-11.5, 281-12, 281-13, 281-14, 281-16, 281-17, 281-19, 281-21, 281-71, 281-91, 281-92, 281-93, 281-94, 281-101.4, 281-102.5, 281-106

MEASURE : SB2180 SD1 HD1 (HSCR 873-98)  
TITLE : RELATING TO MOTOR CARRIERS.  
INTRO : Kawamoto C (586-6970)  
DESCRIPT : Amends provisions of the motor carrier law relating to any shipper or consignee, located in the State, or any officer, employee, agent, or representative of any shipper or consignee, who engages the services of any motor carrier or lessor, or any officer, agent, employee or representative thereof. -- SB2180 HD1

COMM\_REPT : SSCR 2060 (TIA) HSCR 873-98 (TRN) HSCR 1356-98 (CPC/ JUD/)  
STATUS : Apr-24 98 Received by the Governor  
----- -- PENDING FURTHER ACTION

SECT\_AFFD : 271-27 (\*)

MEASURE : SB2204 SD2 HD2 CD1 (CCR 143)  
TITLE : RELATING TO REGULATORY PROCESSES.  
INTRO : Mizuguchi N (586-6870)  
DESCRIPT : Establishes provision relating to administrative procedures. Requires all issuing agencies and departments to establish by rule, a maximum period of time period to grant or deny a business or development related permit, license, or approval provided that the application is not subject to state administered permit programs delegated, authorized, or approved under federal law. Requires issuing agencies or departments to take action to grant or deny any application for a business or development related permit, license, or approval within the established maximum period of time, otherwise approval shall be automatically granted. Provides that maximum time periods shall be extended in the event of a natural disaster, state emergency, or union strike. Requires agencies and departments to establish the time periods and deadlines before December 31, 1999. -- SB2204 CD1

COMM\_REPT : SSCR 2386 (CPI/ HEV/) SSCR 2760 (WAM) HSCR 948-98 (CPC) HSCR 1214-98 (FIN) CCR 127 CCR 143  
STATUS : May-13 98 Passed Legislature  
----- -- PENDING FURTHER ACTION

SECT\_AFFD : 91- (1 SECTION) (\*)

MEASURE : SB2211 SD2 HD1 CD1 (CCR 122)  
TITLE : RELATING TO EDUCATION.  
INTRO : Mizuguchi N (586-6870)  
DESCRIPT : Establishes that all pupils shall be progressively competent in the use of computer technology and the course of study and instruction for the 1st 12 grades shall enable all students to meet progressive standards of competency in a language in addition to english. Requires the department of education to develop a plan for the implementation of this Act. Report to the legislature. -- SB2211 CD1

COMM\_REPT : SSCR 2269 (EDU) SSCR 2768 (WAM) HSCR 998-98 (EDN) HSCR 1367-98 (FIN) CCR 122  
STATUS : May-07 98 Received by the Governor  
----- -- PENDING FURTHER ACTION

SECT\_AFFD : 302A-1128 (\*)

MEASURE : SB2213 SD2 HD2 CD1 (CCR 161)  
TITLE : RELATING TO STATE GOVERNMENT.  
INTRO : Mizuguchi N (586-6870)  
DESCRIPT : Establishes a 9 member committee to develop and oversee the implementation of plans for the transformation of the state government's budgeting, accounting, and procurement systems. Provides that the committee shall be appointed by the

governor and include the legislative analyst, the director of finance, the comptroller, 1 member from a list nominated by the senate president, 1 member from a list nominated by the speaker of the house of representatives, 2 members with budgetary, accounting, financial services, or comparable public accounting experience, and 2 members from the governor's cabinet. Requires the committee to select 3 departments that differ in function and organization to develop prototype models of implementation. Provides criteria. Annual reports to the legislature. Establishes a 2nd 7 member committee to develop a managed process that enables state and county governments to implement public / private competition for government services through a managed process determining whether a service can be provided more economically by a public agency or private enterprise. Provides that the committee shall be appointed by the governor and include the director of finance, the comptroller, the director of human resources development, 1 representative from each county appointed by the respective mayors, 2 public sector union representatives, 1 private sector representative, 2 representatives for private sector businesses, and 1 representative for nonprofit organizations. Requires the department of accounting and general services to provide administrative support. Repealed on June 30, 2001 (sunset). -- Provides that the authority of a department or agency of the State or county to enter into a contract with a private provider, shall not be prevented, restricted, diminished, conditioned, limited, or otherwise qualified, when a department or agency contracts in accordance with this Act and provides a 1 page public statement to their respective directors of personnel, civil service, or human resource development, a description of the contract and its rationale. Repealed on June 30, 2003 (sunset). -- Requires the director of finance, with the assistance of the comptroller, to assist in the implementation of performance based budgeting. -- Provides that all new contracts for goods, services, or construction which are entered into by the State or county after the effective date of this Act and prior to July 1, 2001, which extend beyond June 30, 2001, shall include a provision stating that the contract, during its term, is subject to a single review by the State or county. Further provides that the contract may be canceled, renegotiated, continued, or extended by the State or county and that all of these contracts continue to be exempt from civil service laws, merit principles, and collective bargaining laws for the duration of the contract. All contracts entered into on or before the effective date of this Act, including contract which extend beyond June 30, 2001, shall not be subject to review by the State or county and continue to be exempt from civil service laws and merit principles for the duration of the contract. -- SB2213 CD1

COMM\_REPT : SSCR 2379 (HRE/ GOH/) SSCR 2761 (WAM) HSCR 1010-98 (LAB) HSCR 1352-98 (FIN) CCR 161

STATUS : May-13 98 Passed Legislature  
----- -- PENDING FURTHER ACTION

MEASURE : SB2249 SD1 HD2 CD1 (CCR 44)

TITLE : RELATING TO CORRECTIONS.

INTRO : Matsunaga M (586-7100)

DESCRIPT : Allows the department of public safety to develop policies and procedures governing the assessment of fees upon detainees and committed persons who receive non emergency medical, dental, or mental health services or treatment upon the request of the detainee or committed person or due to their intentional infliction of injury to themselves. Provides that policies and procedures shall include an appeals process. Requires fees to be assessed from the detained or committed person's individual trust account, provided that no assessment be made if the account is less than 10 dollars. Allows the department to implement a procedure to recover fees in the future. Report to the legislature. -- SB2249 CD1

COMM\_REPT : SSCR 2572 (JDC) HSCR 999-98 (PSM/ JUD/) HSCR 1215-98 (FIN) CCR 44

STATUS : May-07 98 Received by the Governor  
----- -- PENDING FURTHER ACTION

SECT\_AFFD : 353- (1 SECTION) (\*)

MEASURE : SB2254 SD2 HD2 CD1 (CCR 155)

TITLE : RELATING TO PROSTITUTION.

INTRO : Matsunaga M (586-7100)

DESCRIPT : Amends provision relating to prostitution. Changes penalty for persons convicted of prostitution to include a mandatory fine and may include a sentence of not more than 30 days imprisonment or probation for the 1st offense. Requires persons, for any subsequent offense, to pay a mandatory fine and be sentenced to a term of imprisonment of 30 days or probation. Provides that for persons sentenced to a term of probation, the court may require the completion of a course of prostitution intervention classes as a condition for 1 term of probation. -- SB2254 CD1

COMM\_REPT : SSCR 2283 (JDC) SSCR 2670 (WAM) HSCR 843-98 (JUD) HSCR 1216-98 (FIN) CCR 155

STATUS : May-13 98 Passed Legislature  
----- -- PENDING FURTHER ACTION

SECT\_AFFD : 712-1200 (\*)

MEASURE : SB2256 SD1 HD1 CD1 (CCR 26)

TITLE : RELATING TO BARBERS POINT HARBOR.

INTRO : Kanno B (586-6830)

DESCRIPT : Amends the provision relating to the Kalaeloa community development district (Barbers Point). Adds that Barbers Point harbor be known as Kalaeloa Barbers Point harbor. Act to take effect January 1, 1999. -- SB2256 CD1

COMM\_REPT : SSCR 2610 (TIA) HSCR 1262-98 (WLU) CCR 26

STATUS : May-06 98 Received by the Governor  
----- -- PENDING FURTHER ACTION

SECT\_AFFD : 206G-5 (\*)

MEASURE : SB2259 SD1 HD1 CD1 (CCR 167)  
 TITLE : RELATING TO TAXATION.  
 INTRO : Mizuguchi N (586-6870)  
 DESCRIPT : Establishes the Hawaii tourism authority within the department of business, economic development, and tourism. Requires the authority to be headed by a board of directors consisting of 10 public voting members, 1 public nonvoting member, the director of business, economic development, and tourism as an ex officio voting member, and the director of transportation as an ex officio nonvoting member. Provides that the 10 public, voting members shall be appointed by the governor, composed of 1 representative from each county and the remaining be appointed at large. Includes 2 members appointed by the governor from a list of 3 nominees submitted by the senate president, 2 members from a list of 3 nominees submitted by the speaker of the house of representatives. Requires at least 6 members to have knowledge, experience, and proven expertise in the area of visitor industry marketing and promotion. Requires the board to elect 1 chairperson from among the voting members provided the director of business, economic development, and tourism shall not be chairperson. Requires the authority to develop, coordinate, and implement state policies and directions for tourism related activities; develop and implement the state tourism strategic marketing plan; coordinate the development of new products and events; encourage the development of educational, training, and career programs. Establishes the tourism special fund. Requires the office of tourism to provide assistance to the Hawaii tourism authority. Amends provision relating to transfers from special funds for central service expenses to exclude the tourism special fund. Exempts the special fund from its pro rata share of administrative expenses incurred by the department. Exempts all revenue and receipts derived by the board from state taxation. Annual report to the governor and legislature. -- Amends provision relating to specific research and promotional functions of the department of business, economic development, and tourism to include tourism research and statistics. -- Amends provision relating to data or information collection to make all information obtained, relating to characteristics of individuals, confidential and not disclosed or opened to public inspection. -- Amends Act 96, session laws of 1988, as amended by Act 159, session laws of 1992, as amended by Act 241, session laws of 1993, and as amended by Act 75, session laws of 1994, by extending the repeal date of the convention center authority to June 30, 1999 (sunset). Appropriation for the department of business, economic development, and tourism. -- Increases the maximum income tax credit from 6 to 7.25 per cent effective January 1, 1999. -- Requires the auditor to monitor the convention center authority. Report to the legislature. -- Increases the transient accommodations tax from 6 per cent for the period July 1, 1994 to December 31, 1998, to 7.25 per cent from January 1, 1999, and thereafter. Adds provision for the distribution of revenues collected to begin on January 1, 1999. Also defines department, fair market rental value, occupant, owner, plan manager, resort time share vacation interest and plan, ownership plan, and use plan, and resort time share vacation unit. Adds a 7.25 per cent transient accommodations tax on the fair market value of a resort time share vacation unit to be paid by the plan manager. Provides criteria. Requires that each plan manager in business as a resort time share vacation plan shall register with the director of taxation. -- SB2259 CD1  
 COMM\_REPT : SSCR 2772 (WAM) HSCR 1302-98 (FIN) CCR 167  
 STATUS : May-13 98 Passed Legislature  
 ----- -- PENDING FURTHER ACTION  
 SECT\_AFFD : (13 SECTIONS) HAWAII TOURISM AUTHORITY, 201- (1 SECTION), 36-27, 36-30, 201-3, 201-13.8, ACT 96 1988, ACT 159 1992, ACT 241 1993, ACT 75 1994, 235-17, 237D-1, 237D-2, 237D-4, 237D-6, 237D-6.5, 237D-7, 235D-7.5, 237D-8, 237D-8.6, 237D-9, 237D-10, 237D-12, 237D-14, 237D-15, 514E-3  
  
 MEASURE : SB2297 SD2 HD1 CD1 (CCR 35)  
 TITLE : RELATING TO HEALTH.  
 INTRO : Levin A (586-6760)  
 DESCRIPT : Establishes the Hawaii patient bill of rights and responsibilities act. Requires a managed care plan to demonstrate to the insurance commissioner upon request that its plan makes benefits available and accessible to each enrollee, provides access to sufficient numbers and types of providers, provides health care services 24 hours a day and 7 days a week, provides a reasonable choice of qualified providers of women's health services, and provides payment or reimbursement for emergency services. Requires an enrollee to have the right to be fully informed prior to making any decision about any treatment, benefit, or nontreatment. Requires the provider or another member of the managed care plan to discuss with the enrollee and the enrollee's immediate family, living wills and durable powers of attorney in relation to medical treatment. Prohibits a managed care plan from imposing any type of prohibition, disincentive, penalty, or other negative treatment. Requires a managed care plan to establish and maintain a procedure to provide for the resolution of an enrollee's complaints and appeals. Requires every managed care plan to establish procedures for continuous review of quality of care, performance of providers, utilization of health services, facilities, and costs. Provides that all managed care plans shall adopt and comply with nationally developed and promulgated standards for measuring quality, outcomes, access, satisfaction, and utilization of services. Provides that administration and unfair and deceptive acts of the insurance code, and the powers of the commissioner, shall apply to managed care plans, health maintenance organizations, or medical indemnity or hospital services associations, which are owned or controlled by mutual benefit societies, so long as such application in any particular case is in compliance with and is not preempted by applicable federal statutes and regulations. Requires the insurance commissioner to convene a health care consumer rights and responsibilities task force to review various laws which provide protection of patient rights and responsibilities in regard to health care. At least 1 representative from the department of health, the department of labor and industrial relations, a health insurance company, a mutual benefit society, a health maintenance organization, the american association of retired persons, the Hawaii coalition for health, the Hawaii business health coalition, the legal aid society of Hawaii, the Hawaii medical association, an organization that represents nurses, and a hospital or an organization that represents hospitals, shall be a member of the task force. Report to the legislature. -- SB2297 CD1  
 COMM\_REPT : SSCR 2414 (HEV/ HRE/) SSCR 2718 (CPI) HSCR 1296-98 (CPC/ JUD/) CCR 35



CONCORD/9798 RE: PASSED LEGISLATURE 1998

STATUS : May-06 98 Received by the Governor  
----- -- PENDING FURTHER ACTION

SECT\_AFFD : (10 SECTIONS) HAWAII PATIENT BILL OF RIGHTS AND RESPONSIBILITIES ACT, 432:1-102, 432D-19

MEASURE : SB2308  
ACT : 057 1998  
TITLE : RELATING TO PRIVATE TRADE, VOCATIONAL, OR TECHNICAL SCHOOLS.  
INTRO : Mizuguchi N (586-6870)  
DESCRIPT : Provides that the purpose of the licensing and regulation of private trade, vocational, or technical schools is to protect consumers against practices by the schools that are false, deceptive, misleading, or unfair, and to help ensure adequate educational quality at private trade, vocational, or technical schools. -- SB2308

COMM\_REPT : SSCR 2539 (CPI) HSCR 875-98 (HED/ EDN/) HSCR 1354-98 (CPC)  
STATUS : Apr-16 98 Received by the Governor  
Apr-29 98 Approved by Governor (Act 57 1998)

EFF\_DATE : April 29, 1998  
SECT\_AFFD : 302A-425 (\*)

MEASURE : SB2326 SD1 HD2 CD1 (CCR 48)  
TITLE : RELATING TO THE HAWAII EMPLOYER'S MUTUAL INSURANCE COMPANY.  
INTRO : Kanno B (586-6830)  
DESCRIPT : Establishes the Hawaii employers' mutual insurance company oversight council assigned to the department of commerce and consumer affairs. Council to consist of 5 members, including a member of the senate appointed by the president of the senate, a member of the house of representatives appointed by the speaker of the house, the director of labor and industrial relations, the director of commerce and consumer affairs, and a Hawaii employer who is a member of the company appointed by the governor. Commission to oversee the activities of the company to ensure that the company fulfills its purpose. Prohibits the company from assessments by the Hawaii hurricane relief fund on the 1st 25 million dollars of written premiums in each calendar year. Provides that beginning January 1, 2008, the company shall participate in the property and liability insurance guaranty association. -- SB2326 CD1

COMM\_REPT : SSCR 2344 (HRE/ CPI/) SSCR 2501 (WAM) HSCR 1002-98 (LAB/ CPC/) HSCR 1329-98 (FIN) CCR 48  
STATUS : May-07 98 Received by the Governor  
----- -- PENDING FURTHER ACTION

SECT\_AFFD : 431:14A- (1 SECTION), 431:14A-102, 431:14A-103, 431:14A-107

MEASURE : SB2332 SD1 (SSCR 2622)  
ACT : 058 1998  
TITLE : RELATING TO BOXING.  
INTRO : Anderson W (586-6840)  
DESCRIPT : Exempts any boxing contest held as a recreational activity by the police activities league when the contest is held under the supervision of a police activities league staff member from the jurisdiction of the boxing commission. -- SB2332 SD1

COMM\_REPT : SSCR 2063 (TIA) SSCR 2622 (CPI) HSCR 1244-98 (CPC)  
STATUS : Apr-16 98 Received by the Governor  
Apr-29 98 Approved by Governor (Act 58 1998)

EFF\_DATE : April 29, 1998  
SECT\_AFFD : 440-35 (\*)

MEASURE : SB2333 SD1 (SSCR 2603)  
ACT : 059 1998  
TITLE : RELATING TO EMERGENCY MEDICAL SERVICES.  
INTRO : Baker R (586-6070)  
DESCRIPT : Requires the department of health to plan and develop a statewide emergency aeromedical services system. Report to the legislature. -- SB2333 SD1

COMM\_REPT : SSCR 2603 (HEV/ WAM/) HSCR 925-98 (HLT) HSCR 1359-98 (FIN)  
STATUS : Apr-16 98 Received by the Governor  
Apr-29 98 Approved by Governor (Act 59 1998)

EFF\_DATE : April 29, 1998

MEASURE : SB2334 SD1 HD1 (HSCR 1250-98)  
TITLE : RELATING TO TIME SHARING PLANS.  
INTRO : Baker R (586-6070)  
DESCRIPT : Amends Act 331, session laws of 1993, relating to time sharing, by repealing its sunset date. Prohibits sales agents or acquisition agents of time share units or plans to sell, offer for sale, or advertise for sale, any tourist activity at less than the actual cost of the activity paid for by the licensee. Act to take effect June 22, 1998. -- SB2334 HD1

COMM\_REPT : SSCR 2199 (CPI) HSCR 1250-98 (CPC)  
STATUS : May-05 98 Received by the Governor  
----- -- PENDING FURTHER ACTION

SECT\_AFFD : 514E-11, ACT 331 1993

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MEASURE : SB2338 SD2 HD2 CD1 (CCR 169)  
 TITLE : RELATING TO THE CERTIFICATION OF HOISTING MACHINE OPERATORS.  
 INTRO : Baker R (586-6070)  
 DESCRIPT : Amends occupational safety and health provisions by adding definition of certified safety professional to mean an individual certified by the board of certified safety professionals. Establishes the hoisting machine operators advisory board to consist of 5 members appointed by the governor. Establishes the hoisting machine operators' certification revolving fund. Authorizes the fund to be used for personnel and operating expenses, board costs and reimbursements, preparation and dissemination of public information on certification and training, preparation of annual reports, and any reimbursements to the state general fund. Annual report to the legislature. Requires the director of labor and industrial relations to authorize the director of finance to disburse moneys from the revolving fund to the credit of the state general fund to reimburse funds appropriated by the legislature. Appropriation to the department of labor and industrial relations for the expenses of 1 part time executive director and 1 part time secretary for the hoisting machine operators advisory board. (\$\$) -- SB2338 CD1  
 COMM\_REPT : SSCR 2252 (HRE/ CPI/) SSCR 2462 (WAM) HSCR 920-98 (CPC) HSCR 1323-98 (FIN) CCR 169  
 STATUS : May-14 98 Passed Legislature  
 ----- -- PENDING FURTHER ACTION  
 SECT\_AFFD : 396- (2 SECTIONS), 396-3

MEASURE : SB2346 SD2 HD2 CD1 (CCR 41)  
 TITLE : RELATING TO INSURANCE.  
 INTRO : Levin A (586-6760)  
 DESCRIPT : Amends mental health, alcohol, and drug abuse treatment insurance provisions by increasing covered benefits for outpatient services to a minimum of 24 visits per year and providing that 12 of the 24 outpatient visits shall apply only to services for mental illness. -- Amends Act 202, session laws of 1988, as amended by Act 111, session laws of 1994, relating to mental health, alcohol, and drug abuse treatment insurance by changing the repeal date to July 1, 2002 (sunset). -- SB2346 CD1  
 COMM\_REPT : SSCR 2329 (CPI) SSCR 2470 (WAM) HSCR 824-98 (HLT) HSCR 961-98 (CPC) HSCR 1336-98 (FIN) CCR 41  
 STATUS : May-07 98 Received by the Governor  
 ----- -- PENDING FURTHER ACTION  
 SECT\_AFFD : 431M-4, ACT 202 1998, ACT 111 1994

MEASURE : SB2349 SD1 HD2 (HSCR 1346-98)  
 TITLE : RELATING TO ENVIRONMENTAL HEALTH.  
 INTRO : Levin A (586-6760)  
 DESCRIPT : Changes the environmental health program enhancement and education fund to environmental health education fund within the department of health. Requires moneys in the fund to be expended by the department for the purpose of enhancing the capacity of environmental health programs to improve public outreach efforts and consultations to industries regulated and educate the public, staff, and industries regulated thereunder. Amends Act 169, session law 1994, as amended by Act 143, session law 1995, as amended by Act 164, session law 1996 by repealing the sunset date for the environmental health program enhancement and education fund. -- Establishes the Hawaii strategic environmental initiative task force to develop a competitive and viable project proposal for submission for a matching grant award from the CSG US / AEP (Council on State government, asia environmental partnership) state environmental initiative (SEI) program. Requires the task force to consist of members representing the department of health, the office of environmental control, the public utilities commission, and the university of Hawaii. Requires the director of business, economic, development, and tourism to appoint 4 members with experience in environmental technology, urban environmental infrastructure, and pollution management or prevention. Report to the legislature. Task force shall dissolve upon the adjournment sine die of the regular session of 1999 (sunset). -- SB2349 HD2  
 COMM\_REPT : SSCR 2289 (HEV) SSCR 2479 (WAM) HSCR 975-98 (EEP) HSCR 1346-98 (FIN)  
 STATUS : May-11 98 Received by the Governor  
 ----- -- PENDING FURTHER ACTION  
 SECT\_AFFD : 321-11.5, 321-15, 321-27, 342F-14, 466J-4, 466J-5, ACT 169 1994, ACT 143 1995, ACT 164 1996

MEASURE : SB2350 SD1 HD2 CD1 (CCR 144)  
 TITLE : RELATING TO RECYCLING.  
 INTRO : Levin A (586-6760)  
 DESCRIPT : Amends the requirement that the department of health distribute the moneys contained in the environmental management special account to the counties in proportion to the amount of glass imported into each county based on the county's de facto population by providing that the distribution shall be in form of direct contracts with the department or transfer of funds from the department. Requires payment of the advance glass disposal fee to be made quarterly based on inventory reports of the glass container importers except for glass container importers who imports less than 5,000 glass containers within a 1 year period or glass container importers who imports 5,000 or more glass containers, but less than or equal to 100,000 glass containers, who shall be permitted to provide a report and payment of the fee annually. Act to take effect January 1, 1999. -- SB2350 CD1  
 COMM\_REPT : SSCR 2390 (HEV) SSCR 2480 (WAM) HSCR 1016-98 (EEP) HSCR 1328-98 (FIN) CCR 130 CCR 144  
 STATUS : May-13 98 Passed Legislature  
 ----- -- PENDING FURTHER ACTION  
 SECT\_AFFD : 342G-84, 342G-85

MEASURE : SB2386 SD2 HD2 CD1 (CCR 152)  
 TITLE : RELATING TO COORDINATED CARE ORGANIZATIONS.  
 INTRO : Kanno B (586-6830)  
 DESCRIPT : Establishes coordinated care organizations provisions under workers' compensation provisions to provide coverage for the medical and rehabilitative benefits. Allows mutual benefit societies, labor organization, association, partnership, professional corporation of physicians and other health care providers, health maintenance organizations (HMOs), and accident and sickness insurers to form a coordinated care organization. Requires registration with the department of labor and industrial relations for a fee. Establishes a coordinated care organization special fund to be administered by the department to defray costs and expenses incurred. Provides that any unexpended moneys remaining in the special fund upon repeal of this provision shall lapse into the general fund. Requires the employer to select 2 or more registered coordinated care organizations to offer to its employees. Provides that the employee shall have a choice of selecting 1 or need not select any. Provides that a registered coordinated care organization shall assign a case manager to each injured employee to facilitate the accomplishment of this provision. Requires the case manager to be a registered nurse who holds a national certification as a case manager or a registered nurse. Requires an employer to have a program of workplace health and safety. Provides conditions and criteria. Establishes a coordinated care organization review task force attached to the department to monitor and study the coordinated care organization system. Requires the task force to consist of 10 members to include the director of labor and industrial relations, insurance commissioner, and 8 persons appointed by the director of labor and industrial relations. Requires the legislative reference bureau to assist the task force and conduct a study of coordinated care organizations. Allows the bureau to rely upon the cooperation of the insurance commissioner, private insurers, and coordinated care organizations to obtain information and statistics in addition to any other sources. Report to the legislature and governor. Act repealed on June 30, 2002 (sunset). -- SB2386 CD1  
 COMM\_REPT : SSCR 2029 (HRE/ CPI/) SSCR 2301 (WAM) HSCR 1021-98 (LAB/ CPC/) HSCR 1348-98 (FIN) CCR 152  
 STATUS : May-13 98 Passed Legislature  
 ----- -- PENDING FURTHER ACTION  
 SECT\_AFFD : 386- (11 SECTIONS) COORDINATED CARE ORGANIZATIONS (\*)

MEASURE : SB2388 SD1 (SSCR 2281)  
 ACT : 060 1998  
 TITLE : RELATING TO EDUCATION.  
 INTRO : Levin A (586-6760)  
 DESCRIPT : Allows an advanced practice registered nurse to issue a certification that a child has received, is receiving, or received a tuberculin test or x ray and is free from tuberculosis. Allows the department of health to distribute immunizations and vaccines to advanced practice registered nurses and for the nurses to perform vaccinations and immunizations. -- SB2388 SD1  
 COMM\_REPT : SSCR 2281 (EDU) SSCR 2601 (HEV) HSCR 926-98 (HLT) HSCR 1243-98 (EDN)  
 STATUS : Apr-17 98 Received by the Governor  
 Apr-29 98 Approved by Governor (Act 60 1998)  
 EFF\_DATE : April 29, 1998  
 SECT\_AFFD : 302A-1154, 302A-1155, 302A-1158, 302A-1159, 302A-1160, 325-33

MEASURE : SB2399 SD2 HD2 CD1 (CCR 45)  
 TITLE : RELATING TO ELECTIONS.  
 INTRO : Matsunaga M (586-7100)  
 DESCRIPT : Requires the campaign spending commission, in cooperation with the League of Women Voters, Common Cause Hawaii, Hawaii Clean Elections, and other relevant stakeholders to conduct a comprehensive study of the campaign financing system in Hawaii and report to the legislature about the pilot program proposed in the Act. -- SB2399 CD1  
 COMM\_REPT : SSCR 2352 (JDC) SSCR 2671 (WAM) HSCR 1019-98 (JUD) HSCR 1349-98 (FIN) CCR 45  
 STATUS : May-07 98 Received by the Governor  
 ----- -- PENDING FURTHER ACTION

MEASURE : SB2411 SD2 HD1 CD1 (CCR 23)  
 TITLE : RELATING TO MOTOR VEHICLE INSURANCE.  
 INTRO : Levin A (586-6760)  
 DESCRIPT : Allows a judge to have discretion to suspend all or any portion of the fine if the defendant provides proof of having a current motor vehicle insurance policy and provides that upon the defendants request, the judge may grant community service in lieu of any fine. Also clarifies that the court shall either suspend the driver's license of the driver or of the registered owner for 3 months for the 1st conviction and 1 year for any subsequent offense within a 5 year period from a previous offense, provided that the driver or the registered owner shall not be required to obtain proof of financial responsibility. -- SB2411 CD1  
 COMM\_REPT : SSCR 2330 (CPI) SSCR 2548 (JDC) HSCR 1297-98 (CPC/ JUD/) CCR 23  
 STATUS : May-06 98 Received by the Governor  
 ----- -- PENDING FURTHER ACTION  
 SECT\_AFFD : 431:10C-117 (\*)

MEASURE : SB2414 SD1 HD1 CD1 (CCR 18)  
 TITLE : RELATING TO PAWNBROKERS.  
 INTRO : Levin A (586-6760)  
 DESCRIPT : Prohibits pawnbrokers from accepting motor vehicles, vessels, or negotiable instruments as pledged goods, or certificates of title or registration of vehicles or vessels as evidence of possession of pledged goods. -- SB2414 CD1

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COMM\_REPT : SSCR 2726 (CPI) HSCR 1287-98 (CPC) CCR 18

STATUS : May-06 98 Received by the Governor

----- -- PENDING FURTHER ACTION

SECT\_AFFD : 445-134.13 (\*)

MEASURE : SB2454 SD1 HD2 CD1 (CCR 29)

TITLE : RELATING TO VOCATIONAL REHABILITATION.

INTRO : Kanno B (586-6830)

DESCRIPT : Amends worker's compensation law. Authorizes rather than requires the director of labor and industrial relations to refer employees who may have or have suffered permanent disability as a result of work injuries and who in the director's opinion can be vocationally rehabilitated to the department of human services or to private providers of rehabilitation services for vocational rehabilitation services that are feasible. Allows the injured employee to select a certified provider of rehabilitation services. Provides that both the certified provider and the injured employee, within a reasonable time after initiating rehabilitation services, shall give proper notice of selection to the employer. Allows rather than requires the director to approve vocational rehabilitation services and periodically review progress in each case. -- SB2454 CD1

COMM\_REPT : SSCR 2320 (HRE) HSCR 964-98 (LAB) HSCR 1313-98 (FIN) CCR 29

STATUS : May-06 98 Received by the Governor

----- -- PENDING FURTHER ACTION

SECT\_AFFD : 386-25 (\*)

MEASURE : SB2460 SD2 HD2 CD1 (CCR 36)

TITLE : RELATING TO ACQUISITION OF HOSPITALS.

INTRO : Bunda R (586-6090)

DESCRIPT : Establishes provisions relating to the acquisition of hospitals. Prohibits any person from acquiring a hospital without 1st applying and receiving approval from the state health planning and development agency and giving notice to the attorney general. Requires any person not required to obtain the approval of the agency to notify the attorney general at least 90 days in advance of the impending acquisition. Requires the agency to give public notice of application within 5 working days after receipt and approve or disapprove within 90 days after receipt of the application. Requires the attorney general to determine whether to review the application within 20 days of receipt. Provides that public hearing may be held if the agency, after consultation with the attorney general, determines to review the acquisition, following standards in the interest of the public, no later than 60 days after receipt. Requires approval of the acquisition to be made unless the attorney general finds the acquisition is not in the public interest. Provides criteria for the agency to consider when reviewing applications. Any acquiring person not in compliance with standards set forth may have their license suspended, revoked, or may not be renewed by the agency. -- SB2460 CD1

COMM\_REPT : SSCR 2231 (HEV) SSCR 2643 (JDC) HSCR 971-98 (HLT) HSCR 1306-98 (CPC/ JUD/) CCR 36

STATUS : May-06 98 Received by the Governor

----- -- PENDING FURTHER ACTION

SECT\_AFFD : 323D- (13 SECTIONS) HOSPITAL ACQUISITION (\*)

MEASURE : SB2466 SD1 (SSCR 2648)

ACT : 061 1998

TITLE : RELATING TO GUARDIANSHIP.

INTRO : Matsunaga M (586-7100)

DESCRIPT : Amends provision relating to guardianship. Provides that notification of a petition for guardianship is not required to be given to persons whose parental rights have been terminated pursuant to family or child protective provisions. -- SB2466 SD1

COMM\_REPT : SSCR 2648 (JDC) HSCR 1230-98 (JUD)

STATUS : Apr-16 98 Received by the Governor

Apr-29 98 Approved by Governor (Act 61 1998)

EFF\_DATE : April 29, 1998

SECT\_AFFD : 560.5-207 (\*)

MEASURE : SB2469 SD1 HD1 CD1 (CCR 19)

TITLE : RELATING TO THE UNIFORM SECURITIES ACT.

INTRO : Ige D (586-6230)

DESCRIPT : Establishes provisions relating to the uniform securities act. Provides for the sale of any security that is a federal covered security under the Securities Act of 1933 upon meeting prescribed filing requirements. Provides criteria. -- Authorizes the commissioner of securities to waive compliance with any or all of the notice or filing requirements. -- Defines federal covered adviser and federal covered security. Amends definitions of salesperson, investment adviser, and investment adviser representative. -- Exempts certain securities and transactions from filing and registration requirements. Provides criteria. -- Exempts salespersons representing a dealer in transactions involving federal covered securities from state registration requirements. -- SB2469 CD1

COMM\_REPT : SSCR 2727 (CPI) HSCR 1264-98 (CPC) CCR 19

STATUS : May-06 98 Received by the Governor

----- -- PENDING FURTHER ACTION

SECT\_AFFD : 485- (2 SECTIONS), 485-1, 485-4, 485-6, 485-8, 485-12, 485-14, 485-16, 485-25

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MEASURE : SB2472  
 ACT : 062 1998  
 TITLE : RELATING TO TRADE REGULATIONS.  
 INTRO : Ige D (586-6230)  
 DESCRIPT : Amends provision relating to trade regulations. Permits antitrust law suits to be brought in courts other than the circuit court. -- SB2472  
 COMM\_REPT : SSCR 2243 (CPI) SSCR 2549 (JDC) HSCR 1255-98 (CPC/ JUD/)  
 STATUS : Apr-16 98 Received by the Governor  
 Apr-29 98 Approved by Governor (Act 62 1998)  
 EFF\_DATE : April 29, 1998  
 SECT\_AFFD : 480-21 (\*)

MEASURE : SB2495 SD1 HD1 (HSCR 1204-98)  
 TITLE : RELATING TO WAGE AND HOUR LAW.  
 INTRO : Kawamoto C (586-6970)  
 DESCRIPT : Amends the wage and hour law by exempting any overtime hours worked by an employee of an air carrier. Provides that such overtime hours are the result of a voluntary agreement between employees to exchange work time or days off. -- SB2495 HD1  
 COMM\_REPT : SSCR 2614 (HRE) HSCR 1204-98 (LAB)  
 STATUS : May-07 98 Received by the Governor  
 ----- -- PENDING FURTHER ACTION  
 SECT\_AFFD : 387-3 (\*)

MEASURE : SB2559 SD2 HD1 CD1 (CCR 11)  
 TITLE : RELATING TO EXPLOSIVES.  
 INTRO : Metcalf W (586-6900)  
 DESCRIPT : Amends explosives law by repealing definition of manufacturer and amending definition of dealer. Repeals permit requirements and requires only certificate of fitness. Exempts state or county police or fire departments from explosive provisions. -- SB2559 CD1  
 COMM\_REPT : SSCR 2372 (TIA/ HRE/) SSCR 2510 (WAM) HSCR 956-98 (LAB) HSCR 1324-98 (FIN) CCR 11  
 STATUS : May-06 98 Received by the Governor  
 ----- -- PENDING FURTHER ACTION  
 SECT\_AFFD : 396-3, 396-9

MEASURE : SB2575 SD1 HD1 CD1 (CCR 4)  
 TITLE : RELATING TO CORPORATIONS.  
 INTRO : Metcalf W (586-6900)  
 DESCRIPT : Establishes corporation conversion provisions. Requires a nonprofit entity to file an application with the insurance commissioner 6 months prior to a proposed conversion to a for profit entity. Provides that any conversion without the commissioner's approval shall be voidable by the commissioner. Requires the commissioner to determine the fair market value of the assets of the nonprofit entity and ensure that the assets of the nonprofit entity are transferred to another nonprofit entity at the time of conversion. Prohibits directors or officers to profit from the conversion. -- SB2575 CD1  
 COMM\_REPT : SSCR 2730 (CPI) HSCR 1265-98 (CPC) CCR 4  
 STATUS : May-06 98 Received by the Governor  
 ----- -- PENDING FURTHER ACTION  
 SECT\_AFFD : (7 SECTIONS) CONVERSION OF NONPROFIT ASSETS (\*)

MEASURE : SB2580 SD1 HD1 CD1 (CCR 34)  
 TITLE : RELATING TO THE HAWAII STATE STUDENT COUNCIL.  
 INTRO : Metcalf W (586-6900)  
 DESCRIPT : Establishes the Hawaii state student council. Requires the council to consist of a representation from each departmental school district. Requires the council to either select or run an election for a student to serve as the nonvoting student member of the board of education. Requires the department of education to assign at least 1 staff member to assist the council. Requires the council to provide for an annual conference of secondary school students to identify, discuss, and arrive at recommended solutions to major youth problems, with emphasis on school problems that require the attention of and joint action by the students, the department, the board of education, and the legislature. Report to governor, legislature, and board. Repeals secondary school students conference provisions. Act to take effect on July 1, 1999. -- SB2580 CD1  
 COMM\_REPT : SSCR 2598 (EDU) HSCR 1279-98 (EDN) CCR 34  
 STATUS : May-06 98 Received by the Governor  
 ----- -- PENDING FURTHER ACTION  
 SECT\_AFFD : 302A- (2 SECTIONS), 317-1, 317-2, 317-3, 317-4, 317-5, 317-6

MEASURE : SB2581 HD1 (HSCR 945-98)  
 TITLE : RELATING TO CEMETERY AND FUNERAL TRUSTS.  
 INTRO : Metcalf W (586-6900)  
 DESCRIPT : Establishes provision relating to cemetery and funeral trusts. Prohibits a mortuary, cemetery, or pre need funeral authority from collecting or charging additional fees for perpetual care beyond those originally agreed upon in a contract. Provides that a reasonable fee may be charged for administrative costs related to the transfer of ownership rights. Establishes fine not less than 500 dollars nor more than 10,000 dollars for each violation. Provides that the director of consumer affairs may revoke,

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suspend, or refuse to renew a license for a violation. -- SB2581 HD1  
COMM\_REPT : SSCR 2244 (CPI) SSCR 2441 (WAM) HSCR 945-98 (CPC/ JUD/) HSCR 1237-98 (FIN)  
STATUS : May-07 98 Received by the Governor  
----- -- PENDING FURTHER ACTION  
SECT\_AFFD : 441- (1 SECTION), 441-22.5, 441-22.6, 441-23

MEASURE : SB2586 SD1 HD1 (HSCR 1266-98)  
TITLE : RELATING TO CAPTIVE INSURANCE COMPANIES.  
INTRO : Metcalf W (586-6900)  
DESCRIPT : Allows captive insurance companies to provide personal motor vehicle or homeowner's insurance coverage or any component thereof as employee benefits for the employees of a parent, association, or its members, and their respective affiliated companies. -- Establishes provisions which apply to association captive insurance companies including risk retention companies. -- SB2586 HD1  
COMM\_REPT : SSCR 2434 (CPI) HSCR 1266-98 (CPC)  
STATUS : May-07 98 Received by the Governor  
----- -- PENDING FURTHER ACTION  
SECT\_AFFD : 431:19-102, 431:19-104, 431:19-105, 431:19-115

MEASURE : SB2588 SD1 HD1 CD1 (CCR 20)  
TITLE : RELATING TO VETERINARY MEDICINE.  
INTRO : Metcalf W (586-6900)  
DESCRIPT : Amends provisions relating to veterinary medicine by requiring that any applicant to certify on the application for the examination of veterinary medicine that he has read, understood and agrees to comply with the laws and rules that the board determines are required for licensure. Adds toxic substances, parasite diseases, unique soil conditions, and quarantine standards to be included in the examination of veterinary medicine. -- SB2588 CD1  
COMM\_REPT : SSCR 2731 (CPI) HSCR 1289-98 (CPC) CCR 20  
STATUS : May-06 98 Received by the Governor  
----- -- PENDING FURTHER ACTION  
SECT\_AFFD : 471-8 (\*)

MEASURE : SB2598  
TITLE : RELATING TO THE INSURANCE DIVISION.  
INTRO : Metcalf W (586-6900)  
DESCRIPT : Provides that the insurance commissioner shall adopt rules to effectuate the insurance code and not subject to any requirements or directives of the governor or any other person or agency within the executive branch. -- SB2598  
COMM\_REPT : SSCR 2734 (CPI) HSCR 1285-98 (CPC)  
STATUS : Apr-30 98 Vetoes  
----- -- PENDING FURTHER ACTION  
SECT\_AFFD : 431:2-201 (\*)

MEASURE : SB2602 SD1 HD1 CD1 (CCR 21)  
TITLE : RELATING TO LANDSCAPE ARCHITECTS.  
INTRO : Metcalf W (586-6900)  
DESCRIPT : Amends provisions relating to professional landscape architect by requiring any applicant to certify on the application for licensure as a professional engineer that he has read, understood and agrees to comply with the laws and rules that the board determines are required for licensure. Adds that the person must pass the national landscape architect licensing examination and a written examination on the State's climatic conditions, native plants and native ecosystems, land use ordinance and special management area requirements, and cultural and historical conditions affecting landscape architecture. -- SB2602 CD1  
COMM\_REPT : SSCR 2735 (CPI) HSCR 1290-98 (CPC) CCR 21  
STATUS : May-06 98 Received by the Governor  
----- -- PENDING FURTHER ACTION  
SECT\_AFFD : 464-8 (\*)

MEASURE : SB2610 SD1 HD1 (HSCR 1291-98)  
TITLE : RELATING TO PROFESSIONAL LAND SURVEYORS.  
INTRO : Metcalf W (586-6900)  
DESCRIPT : Amends provisions relating to professional land surveyor by requiring the person to pass the national land surveyor licensing examinations and a written, multiple choice examination on the subject of Hawaii land matters and Hawaii land description. Further requires that all applicants certify on the application for licensure as a professional engineer that he has read, understood, and agrees to comply with the laws and rules prescribed by the board for licensure. -- SB2610 HD1  
COMM\_REPT : SSCR 2736 (CPI) HSCR 1291-98 (CPC)  
STATUS : May-07 98 Received by the Governor  
----- -- PENDING FURTHER ACTION  
SECT\_AFFD : 464-8 (\*)

CONCORD/9798 RE: PASSED LEGISLATURE 1998

MEASURE : SB2611  
 ACT : 063 1998  
 TITLE : RELATING TO THE UNIFORM TRANSFER-ON-DEATH (TOD) SECURITY REGISTRATION ACT.  
 INTRO : Metcalf W (586-6900)  
 DESCRIPT : Establishes the uniform tod (transfer on death) security registration act which allows the registration of securities in beneficiary form. -- SB2611  
 COMM\_REPT : SSCR 2200 (CPI) HSCR 1245-98 (CPC)  
 STATUS : Apr-16 98 Received by the Governor  
 Apr-29 98 Approved by Governor (Act 63 1998)  
 EFF\_DATE : April 29, 1998  
 SECT\_AFFD : (12 SECTIONS) UNIFORM TRANSFER-ON-DEATH (TOD) SECURITY REGISTRATION ACT (\*)

MEASURE : SB2618 SD1 HD1 CD1 (CCR 174)  
 TITLE : RELATING TO THE MEDICALLY UNDERSERVED.  
 INTRO : Chun Oakland S (586-6130)  
 DESCRIPT : Requires that whenever the department of human services contracts with a health plan for the provision of QUEST services to enrollees, payment to the FQHC (federally qualified health center) or RHC (rural health center) shall be comparable to, but no less than, the amount that plan pays to its other providers in the same geographic area for comparable services. Requires the department of health to provide resources to nonprofit community based providers for caring for the uninsured, including community health centers, school based clinics, and the care a van program for the homeless. Appropriation to the departments of human services and health to support health care for medically underserved population. Act to take effect July 1, 1998. (\$\$) -- SB2618 CD1  
 COMM\_REPT : SSCR 2395 (HRE/ HEV/) SSCR 2668 (WAM) HSCR 877-98 (HLT/ HSH/) HSCR 1319-98 (FIN) CCR 174  
 STATUS : May-14 98 Passed Legislature  
 ----- -- PENDING FURTHER ACTION

MEASURE : SB2619 SD1 HD1 (HSCR 1257-98)  
 TITLE : RELATING TO FAIR TRADE REGULATIONS.  
 INTRO : Chun Oakland S (586-6130)  
 DESCRIPT : Establishes provisions relating to fair trade regulations. Permits a court to impose a civil penalty not to exceed 10,000 dollars for each violation that a person commits which is directed toward, targets, or injures an elder. Defines elder. Requires the court to consider whether the person's conduct was in wilful disregard of the elder's rights, whether the person knew or should have known that the conduct was directed toward or targeted the elder, whether the elder was more vulnerable to the conduct than other consumers, and the extent of injury, loss, or damages suffered by the elder. -- Provides that in an action where the plaintiff is an elder, the plaintiff may be awarded a sum not less than 5,000 dollars or threefold any damages sustained, whichever is greater, in addition to reasonable attorney's fees and court costs. Permits a court to award an elder additional sums in an amount not to exceed the amount of restitution ordered. -- SB2619 HD1  
 COMM\_REPT : SSCR 2312 (CPI) HSCR 1257-98 (CPC/ JUD/)  
 STATUS : May-05 98 Received by the Governor  
 ----- -- PENDING FURTHER ACTION  
 SECT\_AFFD : 480- (1 SECTION), 480-13, 487-14

MEASURE : SB2624 SD2 HD2 CD1 (CCR 49)  
 TITLE : RELATING TO THE HOMELESS.  
 INTRO : Chun Oakland S (586-6130)  
 DESCRIPT : Establishes the Hale Kokua homeless assistance program within the housing and community development corporation of Hawaii. Authorizes the payment of state grants, monthly rent supplements, and other incentives to any interested property owner who sets aside existing rental space or undertakes the construction of any unit for the purpose of renting the unit to any family or individual classified as employed but homeless for a period of 5 years. Requires the executive director of the corporation to appoint a state homeless section administrator to head and coordinate all programs and responses of state agencies relating homelessness. Allows the administrator, with the approval of the executive director, to contract with private services to carry out the duties and responsibilities of the program. Provides criteria. Requires any property owner who withdraws without just cause from the program prior to 5 years to return the state grant for construction improvements. Provides that all rental subsidies, grants, and payments allocated by the program shall be subject to the availability of funds. -- SB2624 CD1  
 COMM\_REPT : SSCR 2216 (GOH) SSCR 2475 (WAM) HSCR 991-98 (HSH) HSCR 1217-98 (FIN) CCR 49  
 STATUS : May-07 98 Received by the Governor  
 ----- -- PENDING FURTHER ACTION  
 SECT\_AFFD : 201G- (7 SECTIONS) HALE KOKUA PROGRAM (\*)

MEASURE : SB2633 SD1 HD1 CD1 (CCR 136)  
 TITLE : RELATING TO REAL PROPERTY APPRAISALS.  
 INTRO : Chun Oakland S (586-6130)  
 DESCRIPT : Requires all real estate appraisers to be licensed or certified to practice in Hawaii by rules adopted by the director of commerce and consumer affairs. Also to comply with the current uniform standards of professional appraisal practice approved by the director when performing appraisals in connection with a federally or non federally related real estate transaction. -- SB2633 CD1

CONCORD/9798 RE: PASSED LEGISLATURE 1998

COMM\_REPT : SSCR 2737 (CPI) HSCR 1006-98 (CPC) HSCR 1238-98 (FIN) CCR 136

STATUS : May-13 98 Passed Legislature

----- -- PENDING FURTHER ACTION

SECT\_AFFD : 466K- (1 SECTION), 466K-1

MEASURE : SB2644 SD1 HD1 (HSCR 1251-98)

TITLE : RELATING TO BEAUTY CULTURE.

INTRO : Ihara L (586-6250)

DESCRIPT : Amends beauty operator by repealing cosmetician and manicurist and adds esthetician and nail technician. Esthetician includes massaging, cleaning, stimulating, manipulating, exercising, beautifying, exfoliating, wrapping, or doing similar work upon the entire body, without direct contact by the hands and utilizing gloves, loofah mitts, or brushes, or removing superfluous hair by means other than electrolysis. Defines nail technician. Amends definition of cosmetology to include bust and upper part of the body. Further amends definition of a cosmetologists to include an esthetician and a nail technician. Changes the hours of training as a beauty apprentice from 1,100 to 1,200. Further changes the hours of training in a licensed beauty school from 550 to 600. Act to take effect January 1, 1999. -- SB2644 HD1

COMM\_REPT : SSCR 2739 (CPI) HSCR 1251-98 (CPC)

STATUS : May-07 98 Received by the Governor

----- -- PENDING FURTHER ACTION

SECT\_AFFD : 439-1, 439-12

MEASURE : SB2655 SD1 HD1 CD1 (CCR 9)

TITLE : RELATING TO BICYCLE AND MOPED REGISTRATION

INTRO : Mizuguchi N (BR) (586-6870)

DESCRIPT : Establishes procedures for the registration of a bicycle or moped upon transfer. Allows the director of finance to charge a fee of 5 dollars to be deposited into the county bikeway fund. Provides that whenever a transferee fails to record the transfer with the director of finance within 30 days, the director shall charge a fee of 10 dollars plus a fee for a new certificate of registration. Increases the bicycle registration fee to 15 dollars and changes it from biennial to permanent. Establishes a 5 dollar fee for a duplicate certificate of registration. Act to take effect January 1, 1999. -- SB2655 CD1

COMM\_REPT : SSCR 2612 (TIA) HSCR 922-98 (TRN) HSCR 1209-98 (JUD) CCR 9

STATUS : May-06 98 Received by the Governor

----- -- PENDING FURTHER ACTION

SECT\_AFFD : 249- (1 SECTION), 249-14, 249-14.6, 249-16

MEASURE : SB2689 SD2 HD2 CD1 (CCR 153)

TITLE : RELATING TO EMPLOYEES RETIREMENT SYSTEM.

INTRO : Mizuguchi N (BR) (586-6870)

DESCRIPT : Amends provision relating to the employees retirement system. Permits managing directors or administrative assistant to the mayor and other county department and agency heads, including agency heads appointed by the mayor, 1st deputies appointed by the county attorney and prosecuting attorney, the county clerk and deputy county clerk of each county, the administrative director of the courts and the deputy director of the courts, the executive director of the labor and industrial relations appeals board, and the executive director of the Hawaii labor relations board, to attain similar membership status in the retirement system as their state counterparts. -- SB2689 CD1

COMM\_REPT : SSCR 2115 (HRE) SSCR 2696 (WAM) HSCR 1031-98 (LAB) HSCR 1330-98 (FIN) CCR 153

STATUS : May-13 98 Passed Legislature

----- -- PENDING FURTHER ACTION

SECT\_AFFD : 88-47 (\*)

MEASURE : SB2697 SD1 HD1 (HSCR 1055-98)

ACT : 064 1998

TITLE : RELATING TO THE JURISDICTION OF THE COURTS.

INTRO : Mizuguchi N (BR) (586-6870)

DESCRIPT : Amends provision relating to the jurisdiction of the court. Allows concurrent jurisdiction with the family and district courts and the family and circuit courts. Provides criteria. -- SB2697 HD1

COMM\_REPT : SSCR 2649 (JDC) HSCR 1055-98 (JUD)

STATUS : Apr-22 98 Received by the Governor

Apr-29 98 Approved by Governor (Act 64 1998)

EFF\_DATE : April 29, 1998

SECT\_AFFD : 571-14, 603-21.5, 604-8

MEASURE : SB2710 HD1 (HSCR 1233-98)

ACT : 065 1998

TITLE : RELATING TO SEARCH WARRANTS.

INTRO : Mizuguchi N (BR) (586-6870)

DESCRIPT : Authorizes the issuance of anticipatory search warrants. Amends definition of search warrant to include searches for certain articles which are anticipated to be in the possession of 1 who is charged with having obtained or keeps an article illegally, or with the intent of using the article as the means of committing a certain offense. -- SB2710 HD1

COMM\_REPT : SSCR 2581 (JDC) HSCR 1233-98 (JUD)



CONCORD/9798 RE: PASSED LEGISLATURE 1998

STATUS : Apr-17 98 Received by the Governor  
 Apr-29 98 Approved by Governor (Act 65 1998)  
 EFF\_DATE : April 29, 1998  
 SECT\_AFFD : 803-31 (\*)

MEASURE : SB2717 SD1 HD1 CD1 (CCR 16)  
 TITLE : RELATING TO FAMILY COURT.  
 INTRO : Mizuguchi N (BR) (586-6870)  
 DESCRIPT : Amends provision relating to family court. Authorizes the family court judge to make and issue orders for pre trial detention of persons aged 18 years or older to an adult correctional facility, when the person is alleged to have committed an act or acts during the person's minority that would constitute a violation of any federal, state, or local law or municipal ordinance. Further provides that the courts shall have jurisdiction after the person becomes 18 for the purpose of holding hearings and / or entering orders of disposition concerning the alleged offenses or for the purpose of making and issuing orders for pre trial detention of persons aged 18 years or older to an adult correctional facility, when the person is alleged to have committed an act or acts during the person's minority that would constitute a violation of any federal, state, or local law or municipal ordinance. -- SB2717 CD1

COMM\_REPT : SSCR 2650 (JDC) HSCR 1278-98 (JUD) CCR 16  
 STATUS : May-06 98 Received by the Governor  
 ----- -- PENDING FURTHER ACTION  
 SECT\_AFFD : 352-9, 571-8.5, 571-13, 571-14

MEASURE : SB2739 SD1 (SSCR 2036)  
 ACT : 066 1998  
 TITLE : RELATING TO THE COLLECTION OF FINES.  
 INTRO : Matsunaga M (586-7100)  
 DESCRIPT : Amends the definition of claimant agency to include the judiciary for the purpose of collecting outstanding fines and debts. -- SB2739 SD1

COMM\_REPT : SSCR 2036 (JDC) SSCR 2701 (WAM) HSCR 891-98 (JUD) HSCR 1242-98 (FIN)  
 STATUS : Apr-17 98 Received by the Governor  
 Apr-29 98 Approved by Governor (Act 66 1998)  
 EFF\_DATE : April 29, 1998  
 SECT\_AFFD : 231-52 (\*)

MEASURE : SB2740 SD1 HD1 (HSCR 1053-98)  
 ACT : 024 1998  
 TITLE : RELATING TO TRUSTS.  
 INTRO : Matsunaga M (586-7100)  
 DESCRIPT : Amends provision relating to trusts. Permits trustees to effect distribution of money and property that may be made in kind on a pro rata or non pro rata basis. -- SB2740 HD1

COMM\_REPT : SSCR 2584 (JDC) HSCR 1053-98 (JUD)  
 STATUS : Apr-07 98 Received by the Governor  
 Apr-23 98 Approved by Governor (Act 24 1998)  
 EFF\_DATE : April 23, 1998  
 SECT\_AFFD : 554A-3 (\*)

MEASURE : SB2757 SD1 HD1 (HSCR 1281-98)  
 TITLE : RELATING TO ENVIRONMENTAL ASSESSMENTS.  
 INTRO : Tam R (586-6450)  
 DESCRIPT : Amends the environmental impact statement provisions to provide that the agency shall be allowed to withdraw the proposed action and need not respond in writing to comments received. Provides that the agency shall notify the office of environmental quality control of the withdrawal and a notice shall be published by the office. Allows the 30 day period for public review to be extended for 15 days at the request of the applicant for environmental assessments for which a finding of no significant impact is anticipated. Further provides that if the agency withdraws the proposed action, an environmental impact statement shall not be required. -- SB2757 HD1

COMM\_REPT : SSCR 2607 (HEV) HSCR 1281-98 (EEP)  
 STATUS : May=13 98 Passed Legislature  
 ----- -- PENDING FURTHER ACTION  
 SECT\_AFFD : 343-3, 343-5

MEASURE : SB2759 SD2 HD1 CD1 (CCR 27)  
 TITLE : RELATING TO THE TRAFFIC CODE.  
 INTRO : Kawamoto C (586-6970)  
 DESCRIPT : Establishes that any vehicle identified for removal pursuant to any county ordinance ordering removal of motor vehicles by any county police department for traffic violations, including an obstruction or hazard to traffic, may be towed away. Establishes towing and storage fees. Towing company to notify lien holder and registered owner within at least 20 days. Provides for payment of towing and storage charges by the lien holder or owner. Also provides that if the vehicle is not recovered within 30 days after notice, it shall be deemed abandoned and the owner of the towing company, after 1 statewide public notice, may sell the vehicle or dispose of it as junk. -- SB2759 CD1

CONCORD/9798 RE: PASSED LEGISLATURE 1998

COMM\_REPT : SSCR 2211 (TIA) SSCR 2467 (WAM) HSCR 1274-98 (JUD) CCR 27

STATUS : May-06 98 Received by the Governor

----- -- PENDING FURTHER ACTION

SECT\_AFFD : 291C- (1 SECTION) (\*)

MEASURE : SB2768 SD1 HD2 CD1 (CCR 30)

TITLE : RELATING TO PAYMENTS TO HEALTH CARE PROVIDERS FOR WORKERS' COMPENSATION CLAIMS.

INTRO : Kanno B (586-6830)

DESCRIPT : Requires the medical services provider, under the workers' compensation law, to notify or bill the employer, insurer, or the special compensation fund for services rendered relating to the compensable injury within 2 years, in cases where the compensability of the claim is not contested by the employer. Failure to do so shall result in forfeiture of any right to receive payment. Prohibits the provider to directly charge the injured employee for treatments relating to the compensable injury. -- SB2768 CD1

COMM\_REPT : SSCR 2382 (HRE/ CPI/) SSCR 2463 (WAM) HSCR 1003-98 (LAB/ CPC/) HSCR 1325-98 (FIN) CCR 30

STATUS : May-06 98 Received by the Governor

----- -- PENDING FURTHER ACTION

SECT\_AFFD : 386-21 (\*)

MEASURE : SB2769

ACT : 067 1998

TITLE : RELATING TO IRRIGATION PROJECTS.

INTRO : Mizuguchi N (BR) (586-6870)

DESCRIPT : Amends provision relating to the department of agriculture. Requires the department to administer the planning, development, and management of the agricultural park program; and construct, operate, and maintain the state irrigation water systems. Requires the department to conserve and protect irrigation water systems. -- SB2769

COMM\_REPT : SSCR 2041 (ECD/ WLH/) SSCR 2654 (WAM) HSCR 829-98 (AGR) HSCR 1360-98 (FIN)

STATUS : Apr-16 98 Received by the Governor

Apr-29 98 Approved by Governor (Act 67 1998)

EFF\_DATE : April 29, 1998

SECT\_AFFD : 141-1 (\*)

MEASURE : SB2770 SD2 HD2 CD1 (CCR 2)

TITLE : RELATING TO MEASUREMENT STANDARDS.

INTRO : Mizuguchi N (BR) (586-6870)

DESCRIPT : Amends measurement standards provisions by defining retail to mean sale to the final consumer. Permits the department of commerce and consumer affairs to authorize the licensing of service agencies to conduct routine tests of measurement standards and measuring devices. Provides that the price displayed and the price actually charged the purchaser shall be identical unless a prior agreement has been reached between the buyer and the seller or the price charged is lower than the price displayed. -- SB2770 CD1

COMM\_REPT : SSCR 2121 (ECD/ CPI/) SSCR 2641 (JDC) HSCR 831-98 (AGR) HSCR 1309-98 (CPC/ JUD/) CCR 2

STATUS : May-07 98 Received by the Governor

----- -- PENDING FURTHER ACTION

SECT\_AFFD : 486-1, 486-36, 486-105, 486-116, 486-103, 486-106, 486-108, 486-109, 486-117, 486H-3

MEASURE : SB2773 SD1 (SSCR 2427)

ACT : 010 1998

TITLE : RELATING TO PLANT AND NON-DOMESTIC ANIMAL QUARANTINE.

INTRO : Mizuguchi N (BR) (586-6870)

DESCRIPT : Amends provision relating to plant and non domestic animal quarantine. Provides that the department of agriculture may import 1 live sterile brown tree snake of the male sex for research or snake detection dog training. Requires written approval on the measures taken to insure the snake will not escape. Authorizes the department to import more snakes in case of the death to 1 or more snakes. -- SB2773 SD1

COMM\_REPT : SSCR 2427 (ECD) HSCR 855-98 (AGR)

STATUS : Mar-25 98 Received by the Governor

Apr-07 98 Approved by Governor (Act 10 1998)

EFF\_DATE : April 7, 1998

SECT\_AFFD : 150A-6, 150A-7

MEASURE : SB2775 SD1 (SSCR 2009)

TITLE : RELATING TO THE KING KAMEHAMEHA CELEBRATION COMMISSION.

INTRO : Mizuguchi N (BR) (586-6870)

DESCRIPT : Amends provision relating to the King Kamehameha celebration commission by reducing the number of members on the commission from 18 to 13. -- SB2775 SD1

COMM\_REPT : SSCR 2009 (EDU) HSCR 460-98 (HAW) HSCR 1518-98 (FIN)

STATUS : May-07 98 Received by the Governor

----- -- PENDING FURTHER ACTION

SECT\_AFFD : 8-5 (\*)

CONCORD/9798 RE: PASSED LEGISLATURE 1998

MEASURE : SB2782 HD2 (HSCR 1225-98)  
 TITLE : RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR.  
 INTRO : Mizuguchi N (BR) (586-6870)  
 DESCRIPT : Appropriation for the purpose of satisfying claims for legislative relief to persons, firms, corporations, and entities which have claims against the State due to overpayment of taxes, refunds, reimbursements, payments of judgments or settlements, or other liabilities. (\$\$) -- SB2782 HD2  
 COMM\_REPT : SSCR 2037 (JDC) SSCR 2506 (WAM) HSCR 892-98 (JUD) HSCR 1225-98 (FIN)  
 STATUS : May=13 98 **Passed Legislature**  
 ----- -- PENDING FURTHER ACTION

MEASURE : SB2786 HD1 CD1 (CCR 17)  
 TITLE : RELATING TO SEX OFFENDER REGISTRATION.  
 INTRO : Mizuguchi N (BR) (586-6870)  
 DESCRIPT : Amends the definition of sex crimes against minors to include an attempt, criminal solicitation, or criminal conspiracy to commit any 1 of the offenses designated. -- Amends provision relating to sex offender registration and notification information (Megan's Law). Adds information relating to the offender's legal residence or mailing address, to include legal addresses of current and known future employers and starting and ending dates of employment; the year, make, model, color, and license number of vehicles owned; statement indicating whether the sex offender has received or is currently receiving mental treatment; and a statement indicating whether the sex offender is a US citizen; and additional identifying information about the sex offender. Adds as relevant information necessary to protect the public the sex offender's future street name and zip code, the year, make, model, color, and license number of all vehicles currently owned or operated by the sex offender. Makes each judge or judge's designee who continues bail for or releases a sex offender following a guilty verdict or a plea of nolo contendere, prior to the discharge, parole, or release of the sex offender, responsible for explaining to the sex offender the duty to register and the consequences for failing to register, obtaining all registration information, informing the sex offender that if the sex offender changes name, employment, vehicle, or residence address the sex offender shall notify the attorney general of the new registration information within 3 working days. Provides criteria. Repeals the requirement of the judge or judge's designee to obtain samples of saliva and blood of the sex offender. Requires the sex offender to register, in person, with the county chief of police if the offender resides or expects to be present in the county for a period of more than 10 days. Requires the chief of police to provide the attorney general with fingerprints of the sex offender. Amends provision relating to sex offender registration by changing the requirement to register a change of address to requirement to register a change of registration information. Requires the sex offender who changes name, employment, vehicle, or residence address to notify the attorney general of the new registration information in writing within 3 working days of the change. Requires the attorney general to report changes of registration information in the event a sex offender changes address to another county or state no later than 10 days after receiving notice. -- Repeals provision relating to DNA testing of committed persons convicted of sex crimes against minors. -- SB2786 CD1  
 COMM\_REPT : SSCR 2597 (JDC) HSCR 1275-98 (JUD) CCR 17  
 STATUS : May-06 98 Received by the Governor  
 ----- -- PENDING FURTHER ACTION  
 SECT\_AFFD : 846E-1, 846E-2, 846E-3, 846E-4, 846E-6, 846E-7, 353-13.2

MEASURE : SB2796  
 ACT : 068 1998  
 TITLE : RELATING TO ROBBERY IN THE FIRST DEGREE.  
 INTRO : Mizuguchi N (BR) (586-6870)  
 DESCRIPT : Amends the provision relating to robbery in the 1st degree to include the commission of theft during which the person, knowingly inflicts or attempts to inflict serious bodily injury upon another. -- SB2796  
 COMM\_REPT : SSCR 2596 (JDC) HSCR 1231-98 (JUD)  
 STATUS : Apr-16 98 Received by the Governor  
 Apr-29 98 Approved by Governor (Act 68 1998)  
 EFF\_DATE : April 29, 1998  
 SECT\_AFFD : 708-840 (\*)

MEASURE : SB2803 SD2 HD2 CD1 (CCR 50)  
 TITLE : RELATING TO HAWAII SMALL BUSINESS REGULATORY FLEXIBILITY ACT.  
 INTRO : Mizuguchi N (BR) (586-6870)  
 DESCRIPT : Establishes the Hawaii small business regulatory flexibility act. Requires an agency submitting a proposed rule to determine whether the rule affects small business, and the availability and practicability of less restrictive alternatives if it does. Exempts emergency rulemaking. -- Requires an agency to consider creative, innovative, or flexible methods of compliance for small business and to prepare a small business impact statement to be submitted with proposed rules to the departmental advisory committee on small business and the small business regulatory review board. Provides criteria. -- Permits the establishment of an advisory committee on small business within every department of the state or county whose rules affect small business activities. -- Establishes a small business regulatory review board consisting of 11 members appointed by the governor within the department of business, economic development, and tourism to consider any request from small business owners for review of any rule adopted by a state agency and to make recommendations to the agency or the legislature regarding the need for a rule change or legislation. -- Authorizes any small business to file a written petition with an agency that has adopted a rule affecting it. Provides criteria. -- Requires an agency having rules that affect small business in effect to submit a list of those rules to the small business regulatory review board by June 30 of each odd numbered year. -- Requires any agency

authorized to assess penalties or fines against small businesses to waive or reduce any penalty or fine if the small business corrects the violation within a minimum of 30 days after receipt of a notice of violation or citation, if the violation was unintentional or the result of excusable neglect, or the violation was the result of an excusable misunderstanding of an agency's interpretation of a rule. -- Establishes a small business defender within the legislature to represent, defend, and provide legal representation to any small business during any adjudicatory or contested proceeding involving any civil citation issued by a state or county agency in which the small business is a party; provided that the small business shall seek its own legal representation whenever the potential remedies against the small business may include fines or penalties that exceed 25,000 dollars or may result in the suspension or revocation of a license. Authorizes the defender to advocate and negotiate with federal, state, and county agencies and officials on any matter relating to and promoting the interests of small business, to conduct investigations to secure information, and refer any appropriate matter to the auditor or ombudsman for examination or investigation. Report to the legislature. Act to take effect on July 1, 1998, and be repealed on June 30, 2002 (sunset). -- SB2803 CD1

COMM\_REPT : SSCR 2325 (ECD/ CPI/ HEV/) SSCR 2777 (WAM) HSCR 854-98 (EDB) HSCR 1331-98 (FIN) CCR 50

STATUS : May-07 98 Received by the Governor

----- -- PENDING FURTHER ACTION

SECT\_AFFD : (9 SECTIONS) HAWAII SMALL BUSINESS REGULATORY FLEXIBILITY ACT, (2 SECTIONS) SMALL BUSINESS DEFENDER

MEASURE : SB2805 SD1 HD1 (HSCR 1203-98)

TITLE : RELATING TO APPEALS FROM THE PUBLIC UTILITIES COMMISSION.

INTRO : Mizuguchi N (BR) (586-6870)

DESCRIPT : Establishes that an appeal from an order of the public utilities commission shall lie to the supreme court subject to court of appeals provisions. Allows only a person aggrieved in a contested case proceeding to appeal. Repeals appeal provisions from regulation of utility rates and ratemaking procedure provisions. -- SB2805 HD1

COMM\_REPT : SSCR 2338 (CPI) SSCR 2552 (JDC) HSCR 1203-98 (CPC/ JUD/)

STATUS : May-05 98 Received by the Governor

----- -- PENDING FURTHER ACTION

SECT\_AFFD : 269- (1 SECTION), 269-16

MEASURE : SB2819

ACT : 069 1998

TITLE : RELATING TO ESCROW DEPOSITORIES.

INTRO : Mizuguchi N (BR) (586-6870)

DESCRIPT : Amends provisions relating to escrow depositories. Authorizes the commissioner of financial institutions to revoke any license issued or suspend the right of the licensee to use the license for engaging in an unsafe or unsound practice that is likely to cause insolvency or substantial dissipation of assets or earnings of the licensee; failing to maintain books and records that are sufficiently complete and accurate so as to permit the commissioner to determine the financial condition of the licensee; and ceasing, for a period of 6 consecutive months or more, to engage in the business for which its license was granted. Prohibits license to be suspended for longer than 5 years. -- SB2819

COMM\_REPT : SSCR 2628 (CPI) HSCR 1246-98 (CPC)

STATUS : Apr-16 98 Received by the Governor

Apr-29 98 Approved by Governor (Act 69 1998)

EFF\_DATE : April 29, 1998

SECT\_AFFD : 449-17 (\*)

MEASURE : SB2820 HD1 (HSCR 1344-98)

TITLE : RELATING TO THE CODE OF FINANCIAL INSTITUTIONS.

INTRO : Mizuguchi N (BR) (586-6870)

DESCRIPT : Establishes provisions relating to the division of financial institutions. Authorizes the commissioner of financial institutions to order persons who are not Hawaii financial institutions in violation of the code of financial institutions, to pay an administrative fine of not more than 100,000 dollars for each day which the violation continues. Further authorizes the commissioner to issue a temporary or permanent cease and desist order when it appears to the commissioner that a person is engaging or about to engage in a violation of these provisions. Allows the commissioner to serve the order to any Hawaii financial institution, any institution affiliated party, or any other person that the commissioner finds or has reasonable cause to believe to be in violation. -- SB2820 HD1

COMM\_REPT : SSCR 2245 (CPI) SSCR 2442 (WAM) HSCR 942-98 (CPC/ JUD/) HSCR 1344-98 (FIN)

STATUS : May-07 98 Received by the Governor

----- -- PENDING FURTHER ACTION

SECT\_AFFD : 412:2- (1 SECTION), 412:2-300, 412:2-302, 412:2-303, 412:2-304, 412:2-305, 412:2-601, 412:2-609, 412:2-610, 412:2-611

MEASURE : SB2821 HD1 (HSCR 1292-98)

TITLE : RELATING TO THE CODE OF FINANCIAL INSTITUTIONS.

INTRO : Mizuguchi N (BR) (586-6870)

DESCRIPT : Establishes a foreign capital depository task force within the department of business, economic development, and tourism. Members to include the director of business, economic development, and tourism, commissioner of financial institutions, director of taxation, prosecuting attorney of the city and county of Honolulu, attorney general, chief of police of the city and county of Honolulu, a member of the banking community, and any other agency deemed appropriate by the director of business, economic development, and tourism. Requires the task force to investigate the feasibility of chartering foreign capital

depositories in the State under the code of financial institutions, including economic development and business opportunities, marketing requirements necessary to attract foreign depositors, changes necessary in Hawaii law to attract foreign depositors and deter possible criminal activity, costs involved, expected benefits, changes necessary to conform the Montana law to Hawaii law, identification and separation of pertinent issues, identification of potential uses to commit violations of state criminal laws and any changes in statutes, rules, or procedures needed to prevent such use, examination of other legal entities or mechanisms that would serve the same purpose as a depository, and tax treatment. Report to the legislature. -- SB2821 HD1

COMM\_REPT : SSCR 2629 (CPI) HSCR 1292-98 (CPC)  
 STATUS : May-07 98 Received by the Governor  
 ----- -- PENDING FURTHER ACTION

MEASURE : SB2822 SD1 HD1 (HSCR 1199-98)  
 TITLE : RELATING TO LEMON LAW DISCLOSURE COMPLIANCE.  
 INTRO : Mizuguchi N (BR) (586-6870)  
 DESCRIPT : Amends provisions relating to motor vehicle warranties. Amends definition of replacement motor vehicle to require an automobile manufacturer supplying a replacement motor vehicle to be responsible for the general excise tax, license, and registration fees. Defines settlement. -- Provides that the failure of an arbitrator to render a decision in arbitration under express warranties within 45 days because of unforeseen circumstances shall not void any subsequent decision. -- Prohibits a vehicle transferred to a dealer or manufacturer by a buyer or a lessee under motor vehicle warranty law or by judgment, settlement, or arbitration award in Hawaii or another state to be sold, leased, or auctioned. Provides exceptions. Act to take effect July 1, 1998. -- SB2822 HD1

COMM\_REPT : SSCR 2313 (CPI) HSCR 1199-98 (CPC)  
 STATUS : May-05 98 Received by the Governor  
 ----- -- PENDING FURTHER ACTION  
 SECT\_AFFD : 4811-2, 4811-3

MEASURE : SB2823 SD1 HD1 CD1 (CCR 22)  
 TITLE : RELATING TO TIME SHARE IDENTIFICATION BADGES.  
 INTRO : Mizuguchi N (BR) (586-6870)  
 DESCRIPT : Amends provision relating to time sharing by requiring any acquisition, sales, or resale agents, and their employees and independent contractors, to wear an identification badge while off premises and engaged in acquisition agent or sales agent activity related to encouraging others to attend time share sales presentations or to contact a time share sales agent or developer. Defines off premises. -- SB2823 CD1

COMM\_REPT : SSCR 2314 (CPI) HSCR 1267-98 (CPC) CCR 22  
 STATUS : May-06 98 Received by the Governor  
 ----- -- PENDING FURTHER ACTION  
 SECT\_AFFD : 514E-2.6 (\*)

MEASURE : SB2828 SD1 (SSCR 2246)  
 ACT : 070 1998  
 TITLE : RELATING TO PHARMACIES.  
 INTRO : Mizuguchi N (BR) (586-6870)  
 DESCRIPT : Amends provisions relating to adequate equipment for pharmacies to allow the board of pharmacy to prescribe the minimum of reference materials that a pharmacy shall have. Also changes prescription records to require a pharmacy to keep prescription records of each prescription compounded or dispensed for at least 5 years. -- SB2828 SD1

COMM\_REPT : SSCR 2246 (CPI) HSCR 833-98 (HLT) HSCR 1355-98 (CPC)  
 STATUS : Apr-16 98 Received by the Governor  
 Apr-29 98 Approved by Governor (Act 70 1998)  
 EFF\_DATE : April 29, 1998  
 SECT\_AFFD : 461-12, 461-13

MEASURE : SB2829 HD1 (HSCR 1252-98)  
 TITLE : RELATING TO MOTOR VEHICLE REPAIRS.  
 INTRO : Mizuguchi N (BR) (586-6870)  
 DESCRIPT : Amends the motor vehicle repair industry law by changing registered mechanic to licensed mechanic. -- SB2829 HD1

COMM\_REPT : SSCR 2741 (CPI) HSCR 1252-98 (CPC)  
 STATUS : May-05 98 Received by the Governor  
 ----- -- PENDING FURTHER ACTION  
 SECT\_AFFD : 437B-1, 437B-2, 437B-4, 437B-7, 437B-7.5, 437B-9, 437B-20, 437B-8, 437B-11, 437B-11.3, 437B-11.5, 437B-12, 437B-24, 437B-26, 437B-3, 437B-10, 437B-23.5

MEASURE : SB2832 SD2 HD1 (HSCR 1258-98)  
 TITLE : RELATING TO INVESTIGATIVE SUBPOENAS.  
 INTRO : Mizuguchi N (BR) (586-6870)  
 DESCRIPT : Amends consumer protection provisions to allow subpoena to be made personally within this State, but if service in this manner cannot be obtained, substituted service may be made on any witness over whom the jurisdiction of the courts of this State could be exercised in civil actions, including personal service, mailing, or as the circuit court may direct. Provides that if the person is a nonresident or has no principal place of business within this State, obedience to the subpoena may also be

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enforced by a circuit court of this State in the county where the subpoena was issued. -- SB2832 HD1

COMM\_REPT : SSCR 2202 (CPI) SSCR 2553 (JDC) HSCR 1258-98 (CPC/ JUD/)

STATUS : May-07 98 Received by the Governor

----- -- PENDING FURTHER ACTION

SECT\_AFFD : 487-9 (\*)

MEASURE : SB2833 HD1 CD1 (CCR 5)

TITLE : RELATING TO MOTOR VEHICLE LEASE DISCLOSURE.

INTRO : Mizuguchi N (BR) (586-6870)

DESCRIPT : Amends motor vehicle lease disclosure law by requiring a lessor to disclose to customers that they have the right to obtain, by request, a copy of the lessor's lease calculation worksheet and a copy of any documents reviewed during a lease transaction. Provides criteria. -- SB2833 CD1

COMM\_REPT : SSCR 2203 (CPI) HSCR 1253-98 (CPC) CCR 5

STATUS : May-06 98 Received by the Governor

----- -- PENDING FURTHER ACTION

SECT\_AFFD : 481L-2 (\*)

MEASURE : SB2835 SD1 HD2 (HSCR 1218-98)

TITLE : RELATING TO INSURANCE PREMIUM TAXES.

INTRO : Mizuguchi N (BR) (586-6870)

DESCRIPT : Requires insurers to file quarterly tax statements with the insurance commissioner. Establishes penalties. -- Requires all insurers to pay taxes quarterly. Establishes penalties. -- SB2835 HD2

COMM\_REPT : SSCR 2340 (CPI) SSCR 2443 (WAM) HSCR 947-98 (CPC/ JUD/) HSCR 1218-98 (FIN)

STATUS : May-07 98 Received by the Governor

----- -- PENDING FURTHER ACTION

SECT\_AFFD : 431:7-201, 431:7-202

MEASURE : SB2836 SD1 HD1 (HSCR 1259-98)

TITLE : RELATING TO INSURANCE FRAUD.

INTRO : Mizuguchi N (BR) (586-6870)

DESCRIPT : Requires the insurance commissioner to pay a financial institution that is served a subpoena a fee for reimbursement of costs necessary and which have been directly incurred in searching for, reproducing, or transporting books, papers, documents, or other objects designated by the subpoena. -- Amends insurance fraud provisions to include acts or omits with intent to obtain benefits, recovery or compensation for services. Also to include knowingly or permitting. Changes penalties to include a class B and C felonies. Requires all applications for motor vehicle insurance to have a statement " For your protection, Hawaii law requires you to be informed that presenting fraudulent claim for payment of a loss or benefit is a crime punishable by fines or imprisonment, or both ". Allows attorneys of the insurance fraud division to represent the State in any judicial or administrative proceeding to enforce insurance fraud. Allows investigators to serve process and apply for and execute search warrants. -- Includes insurance fraud as an offense for which property is subject to forfeiture. -- SB2836 HD1

COMM\_REPT : SSCR 2341 (CPI) SSCR 2554 (JDC) HSCR 1259-98 (CPC/ JUD/)

STATUS : May-07 98 Received by the Governor

----- -- PENDING FURTHER ACTION

SECT\_AFFD : 431:2-204, 431:10C-307.7, 431:10C-307.8, 712A-4

MEASURE : SB2838 SD1 HD1 (HSCR 1268-98)

TITLE : RELATING TO INSURANCE.

INTRO : Mizuguchi N (BR) (586-6870)

DESCRIPT : Requires a general agent, subagent, or solicitor for any class of insurance to have an appointment from the insurer in this State for that class of insurance. Requires appointment, revocation, termination forms for general agents, subagents, and solicitors to be mailed to the insurance commissioner within 15 days instead of 10 days. -- SB2838 HD1

COMM\_REPT : SSCR 2744 (CPI) HSCR 1268-98 (CPC)

STATUS : May-07 98 Received by the Governor

----- -- PENDING FURTHER ACTION

SECT\_AFFD : 431:9-201, 431:9-211, 431:9-216

MEASURE : SB2839

ACT : 071 1998

TITLE : RELATING TO INSURANCE.

INTRO : Mizuguchi N (BR) (586-6870)

DESCRIPT : Allows the insurance commissioner to examine costs of any insurance general agent, subagent, solicitor, or adjuster including insurance agencies and surplus line agencies and guaranty associations when there is a premium trust fund shortage. -- Changes the date that domestic insurers shall submit a report of its risk based capital levels to March 1. -- Provides that when all requirements of rate filing are met the insurance commissioner shall hold public hearings on workers' compensation rate filings. -- SB2839

COMM\_REPT : SSCR 2632 (CPI) HSCR 1247-98 (CPC)

STATUS : Apr-16 98 Received by the Governor

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Apr-29 98 Approved by Governor (Act 71 1998)

EFF\_DATE : April 29, 1998

SECT\_AFFD : 431:2-306, 431:3-402, 431:14-120

MEASURE : SB2840 SD1 (SSCR 2432)

ACT : 072 1998

TITLE : RELATING TO CAPTIVE INSURANCE.

INTRO : Mizuguchi N (BR) (586-6870)

DESCRIPT : Amends financial statements and other reports provisions for captive insurance companies. -- SB2840 SD1

COMM\_REPT : SSCR 2432 (CPI) HSCR 1286-98 (CPC)

STATUS : Apr-16 98 Received by the Governor

Apr-29 98 Approved by Governor (Act 72 1998)

EFF\_DATE : April 29, 1998

SECT\_AFFD : 431:19-107 (\*)

MEASURE : SB2842 HD1 (HSCR 1254-98)

TITLE : RELATING TO THE HAWAII MEDICAL MALPRACTICE UNDERWRITING PLAN.

INTRO : Mizuguchi N (BR) (586-6870)

DESCRIPT : Amends medical malpractice underwriting plan provisions to include premiums written as reported on the Hawaii State page of the exhibit of premium losses. Provides that insurers that are members of the plan may also be appointed by the insurance commissioner as servicing companies to underwrite the medical malpractice insurance. -- SB2842 HD1

COMM\_REPT : SSCR 2633 (CPI) HSCR 1254-98 (CPC)

STATUS : May-05 98 Received by the Governor

----- -- PENDING FURTHER ACTION

SECT\_AFFD : 435C-2, 435C-4, 435C-5

MEASURE : SB2844

ACT : 073 1998

TITLE : RELATING TO ISSUANCE OF UTILITY VOTING STOCK.

INTRO : Mizuguchi N (BR) (586-6870)

DESCRIPT : Amends public utilities provisions relating to the issuance of voting stock to any single foreign corporation. -- SB2844

COMM\_REPT : SSCR 2634 (CPI) HSCR 1248-98 (CPC)

STATUS : Apr-16 98 Received by the Governor

Apr-29 98 Approved by Governor (Act 73 1998)

EFF\_DATE : April 29, 1998

SECT\_AFFD : 269-17.5 (\*)

MEASURE : SB2852 SD1 HD2 CD1 (CCR 124)

TITLE : RELATING TO THE VOLUNTARY RESPONSE PROGRAM

INTRO : Mizuguchi N (BR) (586-6870)

DESCRIPT : Amends environmental response law by specifying public participation requirements of the remedial process by the department of health when an exception from liability may be granted by the department. Repeals provision that exempts, from the voluntary response program, sites where the director of health has issued an order or is conducting a response under state law, or has determined that there is a significant public interest in the site. Amends provision relating to the director and considerations for denying an application. Includes the impact that any voluntary response action might have on past, current, or future actions by the department of health and whether the public will receive substantial benefit from the cleanup, including but not limited to environmental improvement and economic development. Amends provision relating to benefits and restrictions identified in a letter of completion to include exemption from future liability. Provides exemption from liability when a requesting party that is also a prospective purchaser enters into a voluntary response agreement with the department prior to becoming the owner of the property. Exempts parties who purchase property from an owner who has completed a voluntary response action and received a letter of completion from the department of health from future liability to the department for specific hazardous substances, media, and land area specified in the letter of completion. -- SB2852 CD1

COMM\_REPT : SSCR 2608 (HEV) HSCR 970-98 (EEP) HSCR 1315-98 (FIN) CCR 124

STATUS : May=13 98 Passed Legislature

----- -- PENDING FURTHER ACTION

SECT\_AFFD : 128D-31, 128D-33, 128D-35, 128D-39, 128D-40

MEASURE : SB2866 SD1 HD1 CD1 (CCR 40)

TITLE : RELATING TO PERSONNEL FOR MENTAL HEALTH.

INTRO : Mizuguchi N (BR) (586-6870)

DESCRIPT : Allows the director of health to appoint a director of psychosocial rehabilitation and a chief of the department of nursing in order to carry out the state mental health program. Amends occupational therapy laws to specify educational requirements and supervised field work experience required for certification by the American occupational therapy certification board. Exempts occupational therapists and occupational therapy assistants employed in a civil service position from such certification. -- SB2866 CD1

COMM\_REPT : SSCR 2350 (HEV/ HRE/ CPI/) SSCR 2453 (WAM) HSCR 888-98 (HLT) HSCR 1239-98 (FIN) CCR 40

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STATUS : May-07 98 Received by the Governor  
 ----- -- PENDING FURTHER ACTION  
 SECT\_AFFD : 334-4, 457G-2

MEASURE : SB2874 SD2 HD2 (HSCR 1219-98)  
 TITLE : RELATING TO CHILD WELFARE SERVICES.  
 INTRO : Mizuguchi N (BR) (586-6870)  
 DESCRIPT : Adds definition of abused or neglected to mean subjected to harm, imminent harm, or threatened harm. Amends definition of child welfare services to mean all services necessary for the protection and care of abused or neglected children and children in danger of becoming delinquent, and all services necessary for the adoption of children. Repeals the definition of neglected child. Amends the duties of the department of human services to establish, extend, and strengthen services for the protection and care of abused or neglected children and children in danger of becoming delinquent to make paramount the safety and health of children who have been harmed or are in life circumstances that threaten harm. -- SB2874 HD2  
 COMM\_REPT : SSCR 2131 (HRE) SSCR 2457 (WAM) HSCR 967-98 (HSH) HSCR 1219-98 (FIN)  
 STATUS : Apr-30 98 Received by the Governor  
 ----- -- PENDING FURTHER ACTION  
 SECT\_AFFD : 346-1, 346-14

MEASURE : SB2887 SD1 HD1 CD1 (CCR 31)  
 TITLE : RELATING TO AMUSEMENT RIDES, INCLUDING BUNGEE JUMPING.  
 INTRO : Mizuguchi N (BR) (586-6870)  
 DESCRIPT : Amends the boiler and elevator safety law to require the department of labor and industrial relations to regulate and inspect all commercial bungee jumping including the operator's or owner's ability to ensure the safe installation and operation of the device, to provide evidence of sufficient insurance coverage, and any other area deemed important by the department for the safe installation and operation of bungee jumping. Exempts the department from regulating coin operated rides or mechanically or electrically operated devices considered or known as kiddie rides. Requires the department of cease to use qualified inspectors for semi annual inspections when the department's inspectors have been adequately trained and certified. -- Allow the director to prescribe reasonable fees to be charged for training of inspectors. -- Prohibits bungee jumping until the administrative rules become effective, except for those approved as of the effective date of this provision. Requires the department to maintain a training program for inspectors in bungee jumping. -- SB2887 CD1  
 COMM\_REPT : SSCR 2617 (HRE) HSCR 1269-98 (CPC) CCR 31  
 STATUS : May-06 98 Received by the Governor  
 ----- -- PENDING FURTHER ACTION  
 SECT\_AFFD : 397-3, 397-4, 397-5

MEASURE : SB2889 SD1 HD1 (HSCR 1048-98)  
 TITLE : RELATING TO THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS.  
 INTRO : Mizuguchi N (BR) (586-6870)  
 DESCRIPT : Repeals the advisory committee of labor and industrial relations and the industrial accident boards. -- SB2889 HD1  
 COMM\_REPT : SSCR 2437 (HRE) HSCR 1048-98 (LAB)  
 STATUS : May-01 98 Received by the Governor  
 ----- -- PENDING FURTHER ACTION  
 SECT\_AFFD : 26-20 (\*)

MEASURE : SB2903  
 ACT : 074 1998  
 TITLE : RELATING TO THE STATE COMMISSION ON THE STATUS OF WOMEN.  
 INTRO : Mizuguchi N (BR) (586-6870)  
 DESCRIPT : Amends the commission on the status of women by making the superintendent of education, the president of the university of Hawaii, the director of labor and industrial relations, the director of human resources development, the director of human services, and the director of health or their representatives nonvoting members. Also provides that a majority of the 7 appointed members who shall serve as voting members constitutes a quorum. -- SB2903  
 COMM\_REPT : SSCR 2422 (HRE) HSCR 1232-98 (JUD)  
 STATUS : Apr-16 98 Received by the Governor  
 Apr-29 98 Approved by Governor (Act 74 1998)  
 EFF\_DATE : April 29, 1998  
 SECT\_AFFD : 367-2 (\*)

MEASURE : SB2913 SD1 HD1 (HSCR 1050-98)  
 ACT : 025 1998  
 TITLE : RELATING TO HIGHWAY SAFETY.  
 INTRO : Mizuguchi N (BR) (586-6870)  
 DESCRIPT : Changes the maximum power output capability of a moped to 2 horsepower and maximum speed to 30 miles per hour. Prohibits the modification of a motor used to power a moped to a power capacity above 2 horsepower. -- SB2913 HD1  
 COMM\_REPT : SSCR 2079 (TIA) HSCR 1050-98 (TRN)  
 STATUS : Apr-08 98 Received by the Governor



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Apr-23 98 Approved by Governor (Act 25 1998)  
 EFF\_DATE : April 23, 1998  
 SECT\_AFFD : 291C-202, 291C-206

MEASURE : SB2914 SD1 HD2 (HSCR 1307-98)  
 TITLE : RELATING TO COMMERCIAL DRIVER LICENSING.  
 INTRO : Mizuguchi N (BR) (586-6870)  
 DESCRIPT : Establishes provisions for the reactivation of expired commercial drivers' license. Changes the 2 year expiration period of commercial driver's license for drivers 65 years old to apply to drivers 72 years old. Increases the expiration period from 4 years to 6 years. Repeals the requirement to pass a knowledge test approved by the director of transportation. -- SB2914 HD2  
 COMM\_REPT : SSCR 2080 (TIA) SSCR 2509 (WAM) HSCR 908-98 (TRN) HSCR 1307-98 (CPC/ JUD/)  
 STATUS : Apr-24 98 Received by the Governor  
 ----- -- PENDING FURTHER ACTION  
 SECT\_AFFD : 286- (1 SECTION), 286-239

MEASURE : SB2916  
 ACT : 018 1998  
 TITLE : RELATING TO THE UNIVERSITY OF HAWAII BOARD OF REGENTS.  
 INTRO : Mizuguchi N (BR) (586-6870)  
 DESCRIPT : Allows the board of regents of the university of Hawaii to delegate to the president or the president's designee the authority to render the final decision in contested case proceedings. -- SB2916  
 COMM\_REPT : SSCR 2249 (EDU) HSCR 931-98 (HED)  
 STATUS : Mar-31 98 Received by the Governor  
 Apr-13 98 Approved by Governor (Act 18 1998)  
 EFF\_DATE : April 13, 1998  
 SECT\_AFFD : 304-4 (\*)

MEASURE : SB2922 SD1 HD2 CD1 (CCR 171)  
 TITLE : RELATING TO GOVERNMENT.  
 INTRO : Baker R (586-6070)  
 DESCRIPT : Allows the ombudsman to facilitate the resolution of disputes on issues involving agencies. -- Allows the legislative analyst and legislative auditor to appoint a 1st deputy subject to the advice and consent of the joint legislative management committee. Adds that the 1st assistant of the legislative reference bureau and ombudsman shall be subject to the advice and consent of the joint legislative management committee. -- SB2922 CD1  
 COMM\_REPT : SSCR 2757 (WAM) HSCR 954-98 (LMG) HSCR 1335-98 (FIN) CCR 171  
 STATUS : May-14 98 Passed Legislature  
 ----- -- PENDING FURTHER ACTION  
 SECT\_AFFD : 96- (1 SECTION), 21F-6, 23- (1 SECTION), 23G-2, 96-3

MEASURE : SB2941 SD1 (SSCR 2543)  
 ACT : 075 1998  
 TITLE : RELATING TO LIQUOR.  
 INTRO : Solomon M (586-6940)  
 DESCRIPT : Increases the limit of barrels of malt beverages a class 14, brewpub licensee can manufacture on its premises from 5,000 to 10,000. -- SB2941 SD1  
 COMM\_REPT : SSCR 2543 (CPI) HSCR 1198-98 (CPC)  
 STATUS : Apr-17 98 Received by the Governor  
 Apr-29 98 Approved by Governor (Act 75 1998)  
 EFF\_DATE : April 29, 1998  
 SECT\_AFFD : 281-31 (\*)

MEASURE : SB2957 SD2 HD1 CD1 (CCR 28)  
 TITLE : RELATING TO OUTDOOR ADVERTISING.  
 INTRO : Tam R (586-6450)  
 DESCRIPT : Prohibits the posting of signs, banners, or other outdoor advertising devices on utility poles or street light poles. Requires a person who is responsible for posting material on a utility or street light pole, the person organizing the event, or the owner or operator of the business advertised on the posted material, to remove the material within 72 hours after receipt of written notice of the posting or 72 hours after the date of the event advertised on the posted material, whichever is 1st. Provides that each person shall be subject to an additional fine between 100 dollars and 200 dollars per posted material or community service of not less than 10 hours and not more than 20 hours, or both. Further provides that a person shall not be subject to penalties unless the person received written notice of the posting or was responsible for violating posting material provisions. -- SB2957 CD1  
 COMM\_REPT : SSCR 2082 (TIA) SSCR 2646 (JDC) HSCR 1054-98 (JUD) CCR 28  
 STATUS : May-06 98 Received by the Governor  
 ----- -- PENDING FURTHER ACTION  
 SECT\_AFFD : 445-114, 445-121

MEASURE : SB2966 SD2 HD2 CD1 (CCR 156)  
 TITLE : RELATING TO CRIMINAL INJURIES COMPENSATION.  
 INTRO : Matsunaga M (586-7100)  
 DESCRIPT : Establishes provision relating to crime victim compensation. Requires the court to impose upon every convicted defendant, who is or will be able to pay, a compensation fee whereby the amount shall be commensurate with the seriousness of the offense. Provides criteria. Provides that the fee shall be separate from any fine. Requires the court to waive a fee if it finds that the defendant is unable to pay. Moneys from compensation fees shall be deposited into the criminal injuries compensation fund. -- Changes the criminal injuries compensation fund to a special fund to be administered by the director of public safety. Requires that moneys received shall be used for compensation payments and operating expenses. Requires not more than 30 per cent to be used for operating expenses and to fund positions. -- Amends provision relating to the authorized disposition of convicted defendants. Provides that the payment of a compensation fee shall have priority over the payment of a fine and payment of restitution shall have priority over payment of a compensation fee. Act to take effect July 1, 1998. -- SB2966 CD1  
 COMM\_REPT : SSCR 2168 (JDC) SSCR 2674 (WAM) HSCR 894-98 (JUD) HSCR 1343-98 (FIN) CCR 123 CCR 156  
 STATUS : May-13 98 Passed Legislature  
 ----- -- PENDING FURTHER ACTION  
 SECT\_AFFD : 351- (1 SECTION), 351-62.5, 706-605

MEASURE : SB2981 SD1 HD1 (HSCR 1270-98)  
 TITLE : RELATING TO MOTOR VEHICLE INSURANCE.  
 INTRO : Ige D (586-6230)  
 DESCRIPT : Requires the motor vehicle insurance identification card to be resistant to forgery. Requires the insurance commissioner to approve the construction, form, and design of the card to ensure that the card is forgery resistant. Act to take effect January 1, 1999. -- SB2981 HD1  
 COMM\_REPT : SSCR 2433 (CPI) HSCR 1270-98 (CPC)  
 STATUS : May-07 98 Received by the Governor  
 ----- -- PENDING FURTHER ACTION  
 SECT\_AFFD : 431:10C-107 (\*)

MEASURE : SB2983 SD2 HD2 CD1 (CCR 121)  
 TITLE : RELATING TO OFFICE OF INFORMATION PRACTICES.  
 INTRO : Ihara L (586-6250)  
 DESCRIPT : Establishes provisions relating to the office of information practices. Requires the director of information practices to establish procedures for filing, investigating, and responding to complaints concerning the failure of any board to comply with public meeting provisions. Annual reports to the legislature. Transfers the office of information practices from the department of the attorney general to the office of the lieutenant governor and makes it temporary for a special purpose. Provides that the director of the office of information practices shall be exempt from civil service and compensation laws. Act to take effect July 1, 1998. -- SB2983 CD1  
 COMM\_REPT : SSCR 2204 (CPI) SSCR 2685 (WAM) HSCR 895-98 (JUD) HSCR 1226-98 (FIN) CCR 121  
 STATUS : May-07 98 Received by the Governor  
 ----- -- PENDING FURTHER ACTION  
 SECT\_AFFD : 92- (1 SECTION), 26-1, 92F-41, 92F-42

MEASURE : SB2987 SD2 HD3 CD1 (CCR 38)  
 TITLE : RELATING TO CHILD PROTECTION.  
 INTRO : Chun Oakland S (586-6130)  
 DESCRIPT : Establishes provisions relating to child protection. Requires each child placed in foster care to be covered by an established comprehensive health care plan meeting the requirements of the department of human services. Requires each child placed in foster care to be provided with evidence of coverage under an established comprehensive health care plan. Allows foster parents to seek appropriate medical care upon the 1st day of placement and may seek and obtain routine medical care, immunizations, and well baby and child services. Requires the department to ensure the provision of a comprehensive health assessment for each child in out of home placement 45 days before or after an initial placement. Requires the department to disclose to foster parents and the child's principal treating physician complete copies of the child's medical records in the department's physical custody and relevant social history within 30 days of foster placement. Allows physicians to share medical information about a child active in the child protective service system without parental consent. Requires that any records or information released to a child's foster parents, or the child's principal treating physician remain confidential. -- Requires the department to establish and appoint members of a child protective review panel to review each case of serious abuse. Members to include any physician treating the child for abuse, any child protective services worker assigned to the case and the worker's supervisor, the guardian ad litem for the child, the members of the child's multidisciplinary team or child protective services consultant, and other child protective services workers and supervisors. Members of the panel shall be immune from any liability for injuries and damages from the panel's report. -- Requires the initial oral report to be followed as soon as possible by a report in writing to the department of human services. Provides that if a police department is the initiating agency, a written report shall be filed with the department for cases that the police take further action on or for active cases in the department. -- Amends the purpose of the child protective act to make paramount the safety and health of children who have been harmed or are in life circumstances that threaten harm and provides for treatment and permanent plans for these children and their families. Requires the department to make every reasonable effort to be open, accessible, and communicative to persons affected by a child protective proceeding. Allows reconciliation with families if the safety of the child has been determined. -- Authorizes the department to assume temporary foster custody of a child and file a petition with the family court within 3 working days after the date of the department's assumption of custody. -- Requires any written reports

pertaining to cases pending before the family court, including medical or mental health consultations generated by a child protective services multidisciplinary team or consultant, to be submitted by the department to the court in their entirety. -- Permits a court to refuse to order a service plan or visitation if it finds that aggravated circumstances are present. Defines aggravated circumstances. -- Reduces the time period in which a court may order a show cause hearing at which the child's family shall have the burden of presenting evidence to the court of the reasons and considerations as to why the court should not set the case for a permanent plan hearing from 18 months to 12 months. -- SB2987 CD1

COMM\_REPT : SSCR 2404 (HRE/ JDC/) SSCR 2464 (WAM) HSCR 852-98 (HSH/ HLT/) HSCR 982-98 (JUD) HSCR 1340-98 (FIN) CCR 38  
 STATUS : May-07 98 Received by the Governor  
 ----- -- PENDING FURTHER ACTION

SECT\_AFFD : 587- (4 SECTIONS), 587-2, 350-1.1, 350-2, 587-1, 587-21, 587-24, 587-40, 587-53, 587-71, 587-72

MEASURE : SB3000 SD2 HD2 (HSCR 1332-98)  
 TITLE : RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM.

INTRO : Mizuguchi N (BR) (586-6870)  
 DESCRIPT : Amends the public employees retirement system to allow the board of trustees a designee. -- Provides that the membership of an elective officer or judge in the system may be terminated upon election of the member whenever the allowance for such member reaches 75 per cent of the member's average final compensation. -- Amends service connected occupational disability to service connected disability and provides that the compensation shall be the amount of the member's accumulated contributions and a retirement allowance which shall consist of 50 per cent of the member's average final compensation. -- Changes the payment to beneficiary of a deceased member who elected to receive a lesser retirement allowance during the member's lifetime. -- Establishes provisions for retirant who returns to service before July 1, 1998, and after June 30, 1998. -- Repeals service connected total disability retirement provisions. -- SB3000 HD2

COMM\_REPT : SSCR 2117 (HRE) SSCR 2460 (WAM) HSCR 963-98 (LAB) HSCR 1332-98 (FIN)  
 STATUS : May=08 98 Passed Legislature  
 ----- -- PENDING FURTHER ACTION

SECT\_AFFD : 76-26, 87-6, 88-61, 88-73, 88-79, 88-80, 88-82, 88-83, 88-98, 88-136, 88-251, 88-77, 88-78

MEASURE : SB3002 SD2 HD1 (HSCR 983-98)  
 TITLE : RELATING TO MEDICAL ASSISTANCE.

INTRO : Mizuguchi N (BR) (586-6870)  
 DESCRIPT : Allows the director of human services to monitor health plan's performance during any contract period. Allows the director to impose civil or administrative penalties if the health plan fails to provide medically necessary items and services, imposes excess premiums and charges upon beneficiaries, discriminates among enrollees, misrepresents or falsifies information, violates marketing guidelines, or violates other contract provisions. Allows director to appoint temporary management to oversee compliance efforts. Requires the director to notify the insurance commissioner whenever a sanction under this provision is contemplated. -- SB3002 HD1

COMM\_REPT : SSCR 2136 (HRE) SSCR 2461 (WAM) HSCR 885-98 (HSH) HSCR 983-98 (JUD) HSCR 1240-98 (FIN)  
 STATUS : Apr-30 98 Received by the Governor  
 ----- -- PENDING FURTHER ACTION

SECT\_AFFD : 346- (1 SECTION) (\*)

MEASURE : SB3004 SD1 HD1 CD1 (CCR 168)  
 TITLE : RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE.

INTRO : Mizuguchi N (BR) (586-6870)  
 DESCRIPT : Revisions conforming to the Federal Internal Revenue Code for taxable years beginning after December 31, 1997. Provides that tax liability relating to net capital gain reduced by the amount taken into account as investment income shall be operative for State income tax purposes. Provides that section 1042(g) (with respect to sales of stock in agricultural refiners and processors to eligible farm cooperatives) shall be operative. Further provides that section 72 (with respect to annuities; certain proceeds of endowment and life insurance contracts) shall be operative, except that the 10 per cent additional tax on early distributions from retirement plans shall not be operative. Requires section 121 (with respect to the exclusion of gain from the sale of principal residence) to be operative. Requires section 685 (with respect to treatment of qualified funeral trust) to be operative. Further requires subchapter D (with respect to simplified audit procedures for electing large partnerships) to be operative. Amends alternative tax for corporations to specify section 1201 of the Federal Internal Revenue Code as amended as of December 31, 1996. Also amends provisions for the underpayment of estimated tax. -- SB3004 CD1

COMM\_REPT : SSCR 2534 (WAM) HSCR 1059-98 (FIN) CCR 168  
 STATUS : May-14 98 Passed Legislature  
 ----- -- PENDING FURTHER ACTION

SECT\_AFFD : 235-2.3, 235-2.4, 235-71.5, 235-97

MEASURE : SB3015 SD2 HD1 (HSCR 1057-98)  
 TITLE : RELATING TO THE GENERAL EXCISE TAX EXEMPTION FOR AIRCRAFT SERVICE AND MAINTENANCE FACILITIES.

INTRO : Mizuguchi N (BR) (586-6870)  
 DESCRIPT : Amends the general excise tax exemption for amount received from the servicing and maintenance of aircraft or from the construction of an aircraft service and maintenance facility by providing that tasks be performed within an aircraft service and maintenance facility. Also defines maintenance to mean the upkeep of aircraft engines, hydraulic and electrical systems, and all other components which are an integral part of an aircraft, but does not include refueling, janitorial services or cleaning, restocking of aircraft and passenger supplies or loading or unloading of cargo or passenger baggage. Reduces the minimum size of the aircraft service and maintenance facility to not less than 30,000 square feet. -- SB3015 HD1

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COMM\_REPT : SSCR 2147 (ECD) SSCR 2758 (WAM) HSCR 1057-98 (FIN)

STATUS : May-07 98 Received by the Governor

----- -- PENDING FURTHER ACTION

SECT\_AFFD : 237-24.9 (\*)

MEASURE : SB3018 HD1 (HSCR 1271-98)

TITLE : RELATING TO THE UNIFORM COMMERCIAL CODE.

INTRO : Taniguchi B (586-6460)

DESCRIPT : Amends the uniform commercial code by repealing provisions relating to bulk sales. -- SB3018 HD1

COMM\_REPT : SSCR 2635 (CPI) HSCR 1271-98 (CPC)

STATUS : May-05 98 Received by the Governor

----- -- PENDING FURTHER ACTION

SECT\_AFFD : 490:1-105, 490:2-403, 490:6-101, 490:6-102, 490:6-103, 490:6-104, 490:6-105, 490:6-106, 490:6-107, 490:6-108, 490:6-109, 490:6-110, 490:9-111

MEASURE : SB3024 SD1 HD1 (HSCR 822-98)

TITLE : RELATING TO QUARANTINE.

INTRO : Mizuguchi N (BR) (586-6870)

DESCRIPT : Establishes the animal quarantine special fund administered by the board of agriculture. Requires all moneys received by the board as fees for the quarantine of cats, dogs, and other carnivores or state appropriations to be deposited into the special fund. Provides that moneys in the fund shall be expended to cover the costs of quarantine. Repeals provision relating to the disposition of fees from quarantine of cats and dogs. Act to take effect July 1, 1998. -- SB3024 HD1

COMM\_REPT : SSCR 2018 (ECD) SSCR 2515 (WAM) HSCR 822-98 (AGR) HSCR 1365-98 (FIN)

STATUS : May=13 98 Passed Legislature

----- -- PENDING FURTHER ACTION

SECT\_AFFD : 142- (1 SECTION), 142-28

MEASURE : SB3025 SD1 HD1 (HSCR 832-98)

TITLE : RELATING TO MILK CONTROL.

INTRO : Mizuguchi N (BR) (586-6870)

DESCRIPT : Establishes the milk control special fund administered by the board of agriculture. Moneys received by the board as application fees and for licenses under the milk control act and any state appropriations shall be deposited into the fund. Fund used to administer the milk control act. Repeals provision related to the disposition of license and application fees. Act to take effect July 1, 1998. -- SB3025 HD1

COMM\_REPT : SSCR 2019 (ECD) SSCR 2516 (WAM) HSCR 832-98 (AGR) HSCR 1364-98 (FIN)

STATUS : May=13 98 Passed Legislature

----- -- PENDING FURTHER ACTION

SECT\_AFFD : 157- (1 SECTION), 157-28

MEASURE : SB3035 SD2 HD2 CD1 (CCR 7)

TITLE : RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII.

INTRO : Mizuguchi N (BR) (586-6870)

DESCRIPT : Amends Act 350, session laws of 1997, relating to the housing and community development corporation of Hawaii. Provides that the State's participation is necessary to ensure that decent and affordable housing or housing opportunities are available to all members of the community. Changes department of personnel services to department of human resources development. -- Defines administer or administration. Defines veteran to include Filipino veterans of World War II. Provides criteria. -- Provides that the housing and community development corporation of Hawaii shall select tenants on the basis of those in greatest need for housing. Provides that rates of rental and other facilities in the housing projects shall be fixed. -- Establishes state low income housing provision that enables the corporation to construct, develop, and administer property or housing. -- Establishes the state low income housing revolving fund. Provides criteria. -- Allows the corporation to investigate living, dwelling, and housing conditions, and the means and methods of improving those conditions. Provides criteria. -- Establishes housing, government aid, political subdivision provision that allows any political subdivision to appropriate money to meet any local participation in housing costs or expenses required to obtain federal government assistance. -- Defines trustee and trust indenture. Amends the definition of housing project or project and mortgage holder. Amends the definition of mortgage lender to include any building and loan association, mortgage banker, credit union, insurance company, financial institution, or holding company. Provides criteria. -- Amends provision relating to the board of directors of the corporation. Changes the number of members to be appointed for 2 years to 1 member and provides that the chairperson of the rental housing trust fund advisory commission shall serve a concurrent term on the board. Provides that the director of business, economic development, and tourism or the director of human services shall be ineligible to serve as chairperson of the board. -- Allows the corporation to carry out federal programs designated by a housing finance or development entity, public housing agency, or entity designated by the corporation. -- Amends provision by changing low income housing to federal low income housing. -- Amends provision relating to termination and eviction to include the termination of any lease, rental agreement, permit, or license covering the use and occupation of other premises located within a public housing project. -- Amends the definition of housing project. -- Amends provision relating to facilities and services by counties to corporation and tenants by changing payments made to the department of taxation to the county. -- Amends definition of qualified resident to include a person who either oneself or together with another person does not own a majority interest in lands suitable for dwelling. Provides criteria. -- Amends provision that requires the corporation to cause the State to issue general obligation bonds to finance the cost of repurchase of units under restrictions to transfer real property. Provides that proposed projects of the corporation shall not contravene any

rates and fees approved by the public utilities commission or the boards of water supply. Amends provision relating to the exception of current owners in corporation projects to allow the owner to purchase larger dwelling units in a project if the owner exceeds the permissible family size requirements as determined by prevailing county building or housing codes. -- Requires that the corporation forward annual statements to the director of business, economic development, and tourism and the director of finance. -- Amends provision relating to the issuance of bonds. Defines income and revenues to include income and revenue derived from the sale of land or land and improvements. -- Amends provision relating to bonds, interest rate, price, and sale. Provides that in determining the cost of undertaking and maintaining housing projects, the corporation may include the interest on bonds for a period determined by the corporation. Amends provision relating to the investment of reserves to include the proceeds of bonds. -- Amends provision relating to taxable mortgage securities programs. Amends definition of housing loan programs. -- Amends provision relating to the borrower requirements of the state mortgage guarantee program by changing the director of finance to the corporation. -- Amends provision relating to homeless assistance by changing the definition of homeless to exclude any person imprisoned or detained. -- Requires that all moneys in the housing authority revolving fund, as of June 30, 1998, be transferred to the state low income housing revolving fund. Transfers functions, duties, and authority exercised by the Hawaii housing authority to the corporation. Repeals Hawaii housing authority and housing bond provisions. Repeals the definitions of housing project or project, mortgage holder, mortgage lender, securities, trustee, and trust indenture. Act take effect July 1, 1998. -- SB3035 CD1

COMM\_REPT : SSCR 2223 (GOH) SSCR 2448 (WAM) HSCR 951-98 (HSH) HSCR 1317-98 (FIN) CCR 7

STATUS : May-06 98 Received by the Governor

----- -- PENDING FURTHER ACTION

SECT\_AFFD : ACT 350 1997, 201G-41, 201G-42, 201G-43, 201G-44, 201G-45, 201G-46, 201G-47, 201G-48, 201G-1, 201G-3, 201G-10, 201G-13, 201G-15, 201G-51, 201G-52, 201G-57, 201G-71, 201G-92, 201G-93, 201G-112, 201G-113, 201G-116, 201G-118, 201G-128, 201G-133, 201G-143, 201G-151, 201G-152, 201G-161, 201G-164, 201G-165, 201G-167, 201G-170, 201G-171, 201G-181, 201G-241, 201G-244, 201G-311, 201G-391, 201G-411, 201G-433, 201G-441, 201G-451, 514A-14.5, 514A-108, 516-31, 359-1, 359-2, 359-3, 359-4, 359-5, 359-6, 359-7, 359-8, 359-9, 359-10, 359-11, 359-12, 359-13, 359-14, 359-15, 359-16, 359-17, 359-18, 359-19, 359-20, 359-21, 359-22, 359-31, 359-32, 359-33, 359-34, 359-35, 359-36, 359-37, 359-38, 359-39, 359-40, 359-41, 359-71, 359-72, 359-72.1, 359-73, 359-74, 359-75, 359-76, 359-77, 359-78, 359-79, 359-80, 359-81, 359-82, 359-83, 359-84, 359-85, 359-86, 359-87, 359-88, 359-89, 359-90, 359-171, 359-172, 359-173, 359-174

MEASURE : SB3043 SD2 HD2 CD1 (CCR 24)

TITLE : RELATING TO GOVERNMENT COMPUTER SYSTEMS WHICH ARE NOT YEAR 2000 COMPLIANT.

INTRO : Mizuguchi N (BR) (586-6870)

DESCRIPT : Establishes government computer systems and year 2000 compliance provisions. Provides immunity for the system not being year 2000 compliant. -- Requires the department of accounting and general services to report to the legislature on the progress of efforts to address the year 2000 problems. -- SB3043 CD1

COMM\_REPT : SSCR 2316 (CPI/ JDC/) SSCR 2686 (WAM) HSCR 1029-98 (JUD) HSCR 1341-98 (FIN) CCR 24

STATUS : May-06 98 Received by the Governor

----- -- PENDING FURTHER ACTION

SECT\_AFFD : (4 SECTIONS) GOVERNMENT COMPUTER SYSTEMS AND YEAR 2000 COMPLIANCE, 662-15

MEASURE : SB3075 SD2 (SSCR 2518)

TITLE : RELATING TO GENERAL EXCISE TAX.

INTRO : Baker R (BR) (586-6070)

DESCRIPT : Provides a general excise tax exemption for amounts received by a management company from related entities engaged in the business of selling interstate or foreign common carrier telecommunications services in amounts equal to and which are disbursed by the management company for employee wages, salaries, payroll, taxes, insurance premiums, and benefits. Act to take effect July 1, 1998. -- SB3075 SD2

COMM\_REPT : SSCR 2326 (ECD) SSCR 2518 (WAM) HSCR 1521-98 (FIN)

STATUS : May-14 98 Passed Legislature

----- -- PENDING FURTHER ACTION

SECT\_AFFD : 237-24.7 (\*)

MEASURE : SB3076 SD1 HD1 CD1 (CCR 125)

TITLE : RELATING TO EXECUTIVE AND ADMINISTRATIVE DEPARTMENTS.

INTRO : Baker R (586-6070)

DESCRIPT : Establishes provision relating to executive and administrative departments. Creates a contracts office within the department of human services that shall be under the joint jurisdiction of the departments of human services and health. Requires the directors of both departments to jointly appoint a director of the office, who shall be exempt from civil service provisions. Provides that the staff for the office shall be drawn from currently serving employees of the departments of human services and health who are reassigned to the office. -- Requires the office to develop requests for proposals, coordinate the issuance of requests for proposals, review the proposals, recommend proposal selection to the respective department director, issue contracts, and evaluate the effectiveness of the contracted services provided. Requires the office to monitor contract performance and perform fiscal audits. Requires the directors to develop a plan of implementation. Report to the legislature. Act to be repealed July 1, 2004 (sunset). -- SB3076 CD1

COMM\_REPT : SSCR 2417 (HEV/ HRE/ GOH/) SSCR 2764 (WAM) HSCR 904-98 (HSH/ HLT/) HSCR 1362-98 (FIN) CCR 125

STATUS : May-07 98 Received by the Governor

----- -- PENDING FURTHER ACTION

SECT\_AFFD : 26- (1 SECTION) (\*)

CONCORD/9798 RE: PASSED LEGISLATURE 1998

MEASURE : SB3077  
 ACT : 076 1998  
 TITLE : RELATING TO RISK RETENTION.  
 INTRO : Metcalf W (586-6900)  
 DESCRIPT : Prohibits a purchasing group located in this State to purchase insurance from a risk retention group that is not chartered in this State or from an insurer not authorized in this State, unless the purchase is effected through a licensed agent or broker acting pursuant to the surplus lines law of the licensed agent's or broker's state of domicile. -- SB3077  
 COMM\_REPT : SSCR 2636 (CPI) HSCR 1249-98 (CPC)  
 STATUS : Apr-16 98 Received by the Governor  
 Apr-29 98 Approved by Governor (Act 76 1998)  
 EFF\_DATE : April 29, 1998  
 SECT\_AFFD : 431K-8 (\*)

MEASURE : SB3088 SD1 HD2 CD1 (CCR 37)  
 TITLE : RELATING TO JOB REFERENCE LIABILITY.  
 INTRO : McCartney M (586-6910)  
 DESCRIPT : Establishes provision relating to employer's liability for giving job references. Rebutts presumption of good faith when information disclosed was knowingly false or misleading. -- SB3088 CD1  
 COMM\_REPT : SSCR 2618 (HRE/ JDC/) HSCR 965-98 (LAB) HSCR 1211-98 (JUD) CCR 37  
 STATUS : May-06 98 Received by the Governor  
 ----- -- PENDING FURTHER ACTION  
 SECT\_AFFD : 663- (1 SECTION) (\*)

MEASURE : SB3094 SD2 HD2 (HSCR 1305-98)  
 TITLE : RELATING TO MOTOR VEHICLES.  
 INTRO : Sakamoto N (586-8585)  
 DESCRIPT : Adds that duplicate copies of the certificate of registration shall be acceptable for commercial vehicles defined as rental motor vehicles or cars shipped by licensed car dealerships or repossession companies. -- Amends the provision relating to interisland shipping of motor vehicles. Changes shipper to carrier. Requires a legal owner to present to the carrier a current certificate of registration, identification, and proof of motor vehicle insurance. Changes the provision that when the registered owner of the vehicle is not the legal owner of the vehicle the registered owner must present a notarized written consent of the legal owner of the transportation by repealing the notarization requirement. Allows duplicate copies of the current registration and proof of motor vehicle insurance for commercial vehicles. Allows an authorized agent of the legal registered owner to ship the vehicle by presenting a notarized letter from the registered or legal owner authorizing the shipment. Allows that for an unrecorded owner pending lawful transfer, a certificate of ownership signed by the previous owner may be substituted for the current certificate of registration for vehicles purchased within 30 days of shipping. Allows a facsimile from an insurance company to be accepted for vehicles purchased within 30 days of shipping. Provides that proof of motor vehicle insurance shall not be required for vehicles owned and operated by federal, state, and county government. Also amends provisions for the shipping of damaged vehicles. Exempts vehicles shipped in quantities of 10 or more by licensed dealers or by licensed dealers whose primary business is the auction of insurance salvage vehicles from these provisions. -- SB3094 HD2  
 COMM\_REPT : SSCR 2375 (TIA) SSCR 2545 (CPI) HSCR 907-98 (TRN) HSCR 1305-98 (CPC)  
 STATUS : Apr-24 98 Received by the Governor  
 ----- -- PENDING FURTHER ACTION  
 SECT\_AFFD : 286-271, 286-47

MEASURE : SB3105 SD1 HD1 (HSCR 1298-98)  
 TITLE : RELATING TO INSURANCE.  
 INTRO : Metcalf W (586-6900)  
 DESCRIPT : Allows the insurance commissioner to mandate insurers to submit new filings for any type of insurance when the commissioner has actuarially sound information that current rates may be excessive, inadequate, or unfairly discriminatory. Requires insurers to submit the new rate filings within 120 days of the mandate. -- SB3105 HD1  
 COMM\_REPT : SSCR 2637 (CPI) HSCR 1298-98 (CPC/ JUD/)  
 STATUS : May-07 98 Received by the Governor  
 ----- -- PENDING FURTHER ACTION  
 SECT\_AFFD : 431:14- (1 SECTION) (\*)

MEASURE : SB3113 SD1 HD1 CD1 (CCR 14)  
 TITLE : RELATING TO REAL PROPERTY.  
 INTRO : Bunda R (586-6090)  
 DESCRIPT : Establishes provision relating to condominiums. Permits the bylaws of an association of apartment owners to be amended to provide that the composition of the board reflect the proportionate number of apartments for a particular use, as set forth in the declaration. Provides criteria. Authorizes the bylaws of an association of apartment owners to require that the vote of a commercial apartment owner be cast and counted only for the commercial seats on the board, and the vote of a residential apartment owner be cast and counted only for the residential seats on the board. -- Prohibits the distribution of a petition for a bylaw amendment to modify the composition of the board within 1 year of the distribution of a prior petition to modify the composition of the board. -- Provides that removal and replacement of a member of the board is not precluded by this bill, and that any removal and replacement of a member shall not affect the proportionate composition of the board as prescribed in the bylaws. -- SB3113 CD1

CONCORD/9798 RE: PASSED LEGISLATURE 1998

COMM\_REPT : SSCR 2537 (GOH) HSCR 1293-98 (CPC) CCR 14

STATUS : May-06 98 Received by the Governor  
----- -- PENDING FURTHER ACTION

SECT\_AFFD : 514A- (1 SECTION) (\*)

MEASURE : SB3114 SD2 HD2 CD1 (CCR 6)

TITLE : RELATING TO THE RENTAL HOUSING TRUST FUND.

INTRO : Bunda R (586-6090)

DESCRIPT : Amends provision relating to the rental housing trust fund within the housing and community development corporation of Hawaii. Adds that the fund be used for housing projects wherein at least 10 per cent of the available units are for persons and families with incomes at or below 30 per cent of the median income. Requires that beginning with fiscal year 1999 - 2000, at the close of each biennium, at least 1/3 of the funds allocated to construction projects shall be committed to projects that guarantee affordable units to persons or families with incomes at or below 30 per cent of the median income. Requires that beginning 2000, the housing finance and development corporation shall submit annual reports to the legislature. Act to take effect on July 1, 1998. -- SB3114 CD1

COMM\_REPT : SSCR 2224 (GOH) SSCR 2449 (WAM) HSCR 950-98 (HSH) HSCR 1227-98 (FIN) CCR 6

STATUS : May-06 98 Received by the Governor  
----- -- PENDING FURTHER ACTION

SECT\_AFFD : 201G-432 (\*)

MEASURE : SB3126 SD2 (SSCR 2623)

ACT : 077 1998

TITLE : RELATING TO MOTOR CARRIERS.

INTRO : Mizuguchi N (586-6870)

DESCRIPT : Amends provisions allowing the public utilities commission to grant temporary authority to enable provision of service where there is an immediate and urgent need for carrier service by requiring every application for temporary authority to be made in writing and verified under oath. Requires the application to be accompanied by proof of service upon every current holder of a certificate or public convenience and necessity in the classification for which temporary authority is applied and contain information that the commission shall by rule, require. -- SB3126 SD2

COMM\_REPT : SSCR 2212 (TIA) SSCR 2623 (CPI) HSCR 872-98 (TRN) HSCR 1357-98 (CPC/ JUD/)

STATUS : Apr-16 98 Received by the Governor  
Apr-29 98 Approved by Governor (Act 77 1998)

EFF\_DATE : April 29, 1998

SECT\_AFFD : 271-16 (\*)

MEASURE : SB3137 SD1 HD2 CD1 (CCR 10)

TITLE : RELATING TO MOTOR CARRIERS.

INTRO : Mizuguchi N (586-6870)

DESCRIPT : Requires the public utilities commission to determine at a public hearing held not later than 120 days after the issuance date of temporary authority whether to extend a temporary authority. -- SB3137 CD1

COMM\_REPT : SSCR 2746 (CPI) HSCR 924-98 (TRN) HSCR 1308-98 (CPC/ JUD/) CCR 10

STATUS : May-06 98 Received by the Governor  
----- -- PENDING FURTHER ACTION

SECT\_AFFD : 271-16 (\*)

MEASURE : SB3141 SD1 HD1 (HSCR 1058-98)

TITLE : RELATING TAXATION.

INTRO : Fukunaga C (586-6890)

DESCRIPT : Amends the general excise tax deduction for contractors by requiring the general excise tax number of the person paying the tax on the amount deducted. -- SB3141 HD1

COMM\_REPT : SSCR 2759 (WAM) HSCR 1058-98 (FIN)

STATUS : May-05 98 Received by the Governor  
----- -- PENDING FURTHER ACTION

SECT\_AFFD : 237-13 (\*)

MEASURE : SB3143 SD1 HD2 (HSCR 1320-98)

TITLE : RELATING TO UTILITY TRANSMISSION LINES.

INTRO : Taniguchi B (586-6460)

DESCRIPT : Requires the public utilities commission to consider the department of commerce and consumer affairs division of consumer advocacy's recommendation which shall be based on its evaluation of the factors, when determining whether a 46 kilovolts or greater electric transmission system shall be placed above or below the ground. -- SB3143 HD2

COMM\_REPT : SSCR 2747 (CPI) HSCR 1007-98 (CPC) HSCR 1320-98 (FIN)

STATUS : May-07 98 Received by the Governor  
----- -- PENDING FURTHER ACTION

SECT\_AFFD : 269-27.6 (\*)

CONCORD/9798 RE: PASSED LEGISLATURE 1998

MEASURE : SB3159 SD2 HD1 CD1 (CCR 15)  
 TITLE : RELATING TO THE TIME SHARE LAW.  
 INTRO : Fernandes Salling L (586-6850)  
 DESCRIPT : Establishes provision relating to time share law. Eliminates the requirement that leasehold time share interests be registered with the land court, and instead, requires leasehold time share interests to be recorded with the bureau of conveyances. Provides criteria. Adds definitions of apartment lease, leasehold time share interest, notice of time share plan, time share interest, and time share plan. Act to take effect July 1, 1999. -- SB3159 CD1  
 COMM\_REPT : SSCR 2227 (GOH) SSCR 2619 (CPI) HSCR 1294-98 (CPC) CCR 15  
 STATUS : May-06 98 Received by the Governor  
 ----- -- PENDING FURTHER ACTION  
 SECT\_AFFD : 501- (8 SECTIONS) LEASEHOLD TIME SHARE INTERESTS, 53-60, 132-7, 181-7, 246-55, 501-20, 501-82, 501-103, 501-110, 507-43, 507-45, 507-46, 531-15, 634-51, 636-3

MEASURE : SB3204 HD2 (HSCR 1212-98)  
 TITLE : RELATING TO TRACKING DEVICES.  
 INTRO : Matsunaga M (586-7100)  
 DESCRIPT : Amends definition of tracking device to exclude devices installed in a motor vehicle, by or with the permission of the owner or person in lawful possession, for tracking the movement of the vehicle, or by or at the request of a police department or law enforcement agency in a bait vehicle. Defines bait vehicle. -- SB3204 HD2  
 COMM\_REPT : SSCR 2089 (TIA) SSCR 2567 (JDC) HSCR 871-98 (TRN) HSCR 1212-98 (JUD)  
 STATUS : Apr-24 98 Received by the Governor  
 ----- -- PENDING FURTHER ACTION  
 SECT\_AFFD : 803-41 (\*)

MEASURE : SB3213 SD2 HD1 (HSCR 962-98)  
 TITLE : RELATING TO INSURANCE.  
 INTRO : Metcalf W (586-6900)  
 DESCRIPT : Establishes provision for the license renewal of a general agent, subagent, solicitor, adjuster, designated representative, and nonresident agent under insurance provisions. Requires proof of having completed the requisite hours of continuing education during the 23 months preceding the application for renewal. Establishes different requisite number of hours for different classes of insurance. Establishes an insurance education board to oversee and set the policies and procedures for the continuing education program. Members appointed by the governor. Establishes the insurance licensing administration revolving fund administered by the commissioner. Allows the commissioner to hire support staff. Fund also used to compensate or reimburse the administrative personnel and the Hawaii insurance continuing education board. Requires 1/2 of insurance fees to be deposited into the fund. Increases fees. Annual report to the legislature. -- SB3213 HD1  
 COMM\_REPT : SSCR 2343 (CPI) SSCR 2514 (WAM) HSCR 962-98 (CPC) HSCR 1241-98 (FIN)  
 STATUS : May-13 98 Passed Legislature  
 ----- -- PENDING FURTHER ACTION  
 SECT\_AFFD : 431:9- (5 SECTIONS) CONTINUING EDUCATION, 431:9- (1 SECTION), 431:7-101, 431:9-232

MEASURE : SB3215 SD1 HD1 (HSCR 932-98)  
 ACT : 028 1998  
 TITLE : RELATING TO ANIMAL IMPORTATION.  
 INTRO : Metcalf W (586-6900)  
 DESCRIPT : Amends provision relating to plant and domestic animal quarantine. Requires the board of agriculture to establish a panel of no less than 3 members, with applicable expertise in vertebrate biology, to identify whether an animal is a prohibited hybrid animal when the department suspects that the lineage of the animal is not as stated by the owner or on official documents. -- SB3215 HD1  
 COMM\_REPT : SSCR 2639 (ECD) HSCR 932-98 (AGR)  
 STATUS : Apr-08 98 Received by the Governor  
 Apr-23 98 Approved by Governor (Act 28 1998)  
 EFF\_DATE : April 23, 1998  
 SECT\_AFFD : 150A-6 (\*)

MEASURE : SB3220 SD1 HD2 CD1 (CCR 157)  
 TITLE : RELATING TO THE CONVEYANCE TAX.  
 INTRO : Bunda R (586-6090)  
 DESCRIPT : Reduces the amount of conveyance taxes to the rental housing trust fund from 25 per cent to 12 1/2 per cent until June 30, 1999 (sunset). Appropriation to the housing and community development corporation to provide homeless assistance provided that no funds shall be appropriated for the operation of a homeless shelter or facility that is provided in conjunction with the department of transportation. Report to the legislature by the director of the corporation. Act to take effect July 1, 1998. (\$\$) -- SB3220 CD1  
 COMM\_REPT : SSCR 2385 (GOH) SSCR 2690 (WAM) HSCR 992-98 (HSH) HSCR 1326-98 (FIN) CCR 157  
 STATUS : May-13 98 Passed Legislature  
 ----- -- PENDING FURTHER ACTION  
 SECT\_AFFD : 247-7 (\*)



CONCORD/9798 RE: PASSED LEGISLATURE 1998

MEASURE : SB3228 SD1 HD1 CD1 (CCR 32)  
TITLE : RELATING TO HEALTH.  
INTRO : Levin A (BR) (586-6760)  
DESCRIPT : Amends provisions relating to mental health, drug addiction, and alcoholism. Allows the subject's treating psychiatrist to file a petition for involuntary psychoactive medication. Requires the petition to be executed subject to the penalties of perjury but need not be sworn to before a notary public. Provides that the attorney general, the attorney general's deputy, special deputy, or appointee shall assist the petitioner. Requires the petition for involuntary psychoactive medication be accompanied by a certificate of the treating psychiatrists and of a licensed non treating psychiatrist. Requires both psychiatrists to have examined the subject within 2 days before the submission of the certificates. -- Includes involuntary hospitalization and order and involuntary medication and order to hearing on petition provisions. -- Provides criteria which the court may order the administration of involuntary medication if a petition has been filed. -- Adds involuntary medication which any indigent person shall be entitled to be represented by a public defender. -- SB3228 CD1  
COMM\_REPT : SSCR 2295 (HEV) SSCR 2561 (JDC) HSCR 1276-98 (JUD) CCR 32  
STATUS : May-06 98 Received by the Governor  
----- -- PENDING FURTHER ACTION  
SECT\_AFFD : 334-60.3, 334-60.5, 802-1

MEASURE : SB3248 SD2 HD2 CD1 (CCR 33)  
TITLE : RELATING TO SPECIAL PURPOSE REVENUE BONDS.  
INTRO : Mizuguchi N (586-6870)  
DESCRIPT : Authorizes the issuance of special purpose revenue bonds to assist the Queen's health systems and its subsidiaries to finance the costs of construction of, improvements to, and equipping of hospital facilities and other capital related projects. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. Extends the sunset provision that after June 30, 2003, no new special purpose revenue bonds shall be issued to assist not for profit corporations that provide health care facilities to the general public. Act to lapse on June 30, 2003. (\$\$) -- SB3248 CD1  
COMM\_REPT : SSCR 2162 (HEV) SSCR 2452 (WAM) HSCR 973-98 (HLT) HSCR 1321-98 (FIN) CCR 33  
STATUS : May-13 98 Passed Legislature  
----- -- PENDING FURTHER ACTION  
SECT\_AFFD : 39A-52 (\*)